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HONOLULU, H. T., TUESDAY, AUGUST 2, 1904. SEMI-WEEKLY.

WHOLE No. 2612.

STAKELBERG SURROUNDED AND KUROPATKIN IN FLIGHT

BEZOBRASOFF REACHES PORT

Black Sea Volunteer May Move Soon.



THE LATE GENERAL COUNT KELLIER, KILLED BY A SHELL.

VICE ADMIRAL BEZOBRASOFF
NOW AT PORT ARTHUR.

GEN. STAKELBERG.

(ASSOCIATED PRESS CHIEFLY)

LONDON, Aug. 2.—The Japanese army has occupied Simoucheng, cutting off Shantung from Kuropatkin.

Simoucheng, known also as Chinnushen, is a place at the northwestern end of a pass in the mountain ridge which lies to the eastward of the Port Arthur-Harbin railway. The town is fifteen miles southeast of Haicheng and twenty miles northeast of Tatchekiao. The army commanded by General Nogi advanced from Takushan to near this place. Kuroki's army passed through the mountain pass or to the northward of it and General Oku's army had the position at Tatchekiao, the three Japanese armies forming a crescent around General Stakelberg's corps. A flanking movement by either General Kuroki or General Oku could have cut off the Russian force.

KUROPATKIN IN FULL FLIGHT.

ST. PETERSBURG, Aug. 2.—It is reported that Kuropatkin's main force has been moving rapidly north for several days past. No troops from Russia are going past Harbin.

PREPARING FOR LONG VOYAGE.

LONDON, Aug. 2.—The entire Black Sea volunteer fleet has been ordered on distant service.

RUSSIA SEEKING WARSHIPS.

LONDON, Aug. 2.—The Grand Duke Michael is negotiating the purchase of Argentine warships.

BERZOBRASOFF AT PORT ARTHUR.

PARIS, Aug. 2.—Vice Admiral Berzobrazoff entered Port Arthur recently in a torpedo boat and is now commanding the Pacific squadron.

ARABIA AT VLADIVOSTOK.

VLADIVOSTOK, July 30.—The captured prize Arabia has TOKIO, July 30.—The Vladivostok squadron has appeared off the entrance to Tokio bay.

The cable on July 25th reported that the German steamer Arabia, from Oregon for Japan with a cargo of flour, had been captured by the Vladivostok squadron. The vessel was en route to Yokohama and at the time of her capture the Russian fleet was about sixty miles off Yokohama. From Yokohama to Vladivostok, via Tsingtao Strait, is about 800 miles.

TOO HEAVILY BURDENED.

LIAOYANG, July 30.—The Russian soldiers complain of their heavy accoutrements.

RUSSIANS DISCOURAGED.

ST. PETERSBURG, July 30.—The Japanese capture of Newchwang and the Russian retreat has caused a pessimistic feeling here. The withdrawal northward of the entire Russian force is inevitable. There is talk of making a diversion by invading Korea from Vladivostok.

HAICHENG, July 31.—The Japanese attacked this place under cover of an artillery fire but were checked by the southern Russian army advancing along the railway.

SAN FRANCISCO, July 31.—The Pacific Mail Steamship Company is refusing all freight for Yokohama.

ST. PETERSBURG, July 31.—Ignatief has succeeded Pichwe as Minister of the Interior.

ST. PETERSBURG, Aug. 1.—The war situation is regarded as critical. It is admitted that the movement of the three Japanese armies for the purpose of enveloping Kuropatkin is almost complete. He must either fight or withdraw northward.

BALTIC WARSHIPS MOVING NORTH.

COPENHAGEN, Aug. 1.—Two Russian cruisers and two torpedo boat destroyers have traversed the Great Belt going north.

The "Great Belt" is one of three straits through which vessels going from Cronstadt could get out of the Baltic Sea, enter the North Sea shortly after leaving the Great Belt and then traverse the English channel, the Atlantic and the Mediterranean en route to the Far East. These vessels may be bound for the Far East, or, anticipating trouble with Great Britain over the seizure of steamers, the Russians may have dispatched this squadron to prevent the passage of English warships into the Baltic, where the latter would be in position to attack at short notice in the event of war.

HOME RULERS NAME CHAS. NOTLEY FOR DELEGATE

Kumalae Nominates the Man Who Made Rank Record In Hilo Custom House.

Charles Notley was yesterday selected as the Home Rule candidate for Delegate to Congress.

The Territorial Home Rule convention assembled in the Orpheum yesterday morning at which time various committees were appointed, and in the afternoon the report of the committee on platform was adopted and the nomination of Notley for the delegateship followed closely. Mr. Notley had the honor to be nominated for the delegateship by Jonah Kumalae, recently found guilty in the Circuit Court of conspiracy in defrauding the government while a member of the legislature. Senator D. Kalauokalani, president of the Home Rule party was also put in nomination by former Representative Makekau, but withdrew in favor of Notley. The selection of Notley was unanimous the secretary casting the ballot for him.

Although there was some applause led by Kalauokalani, the convention did not go into raptures over the nomination of Notley. It was far different when Wilcox received the nomination, at which time the convention members nearly raised the roof with their cheers and applause. In fact, the convention was a tame affair, lacking the enthusiasm of the former Wilcox convention.

The nomination of Notley came as a surprise to him, for at the time Kumalae made the nominating speech, Notley was down town attending to some business. He returned to the convention hall just as Kalauokalani had withdrawn in favor of the candidate.

"I thank you for the great honor you have conferred upon me," said Mr. Notley, in Hawaiian. "Stick to the Home Rule party, for it is the only salvation of Hawaiians. Look at the Republican party and after examining it carefully you find it is the Democratic party. Take the Democratic party, too, and examine it and you find it to be the Republican party. When two parties come out the same way it is easy to draw your own conclusions as to what you may expect from them, and therefore I say, stick to your same old colors."

"By adhering to our principles we will, in time, erect our Territory into a State. It is very hard for me to refrain from speaking of Wilcox, memories of whom crowd upon me as I stand before you. I hope that when I get to Washington that I may be able to accomplish a fraction of the work done by him for our Territory.

"Take notice of what an enemy means in politics. Don't take it in the literal sense and therefore don't hurt one another physically.

"It has been flaunted in your faces that unless you send a Republican or a Democrat to Congress that you won't be recognized. I want any one to show me in the Constitution of the United States where such a phrase can be found. They have taught you wrong."

"The Home Rule party is blamed for everything. If a legislator is a Republican and does wrong in the Legislature he is called a Home Ruler. He is called an imbecile, etc."

"I have not the slightest doubt that the Advertiser when it comes out tomorrow will twist my words and get everything colored to their standpoint."

"Don't mind the slurs that are cast upon us. They are like the rocks thrown into the highway as obstructions, but they can't stop us from going ahead to success."

"I ask you to be careful of whom you send as Representatives and Senators to the Legislature, for I want good men to support me while I am at Washington."

"This has been an unexpected surprise to me. It almost took my breath away when I was told that I was your nominee for Congress. I had not the slightest inkling of what might be done in this convention."

HOME RULE PLATFORM.

The platform upon which Charles Notley and all Home Rulers are expected to stand during the coming campaign, and which was adopted unanimously yesterday afternoon, is as follows:

The Independent Home Rule Party of the Territory of Hawaii, through its representatives in convention assembled in the city of Honolulu, Island of Oahu, on August 1, 1904, congratulating its supporters for upholding the principles of popular government by the direct vote of the people, does hereby reaffirm its adherence to the fundamental principles declared in its former platform and more particularly in persistent and determined efforts to establish in this Territory "government of the people, for the people and by the people."

And, on the threshold of the forthcoming election, we do, and at all times, shall oppose and condemn the raising of race issues.

We pledge our candidates who shall be elected to the Congress of the United

States that he will take cognizance of the effect produced by the presence in this Territory of large numbers of Asiatics who have entered into competition with both our skilled and unskilled labor here, and that he will urge upon Congress the necessity of giving us immediate relief from this intolerable state of affairs through legislation upon the lines recommended by the Senatorial Commission in their report on these islands, and we further urge that he co-operate with the heads of organized labor in America in their efforts to bring about desired legislation restricting Asiatic labor.

We pledge our Delegate to favor the immediate extension by the Congress of the United States of the American public land law system to the Territory of Hawaii.

That he ask Congress to pass a law whereby the United States Government shall take full charge and control of the Leper Colony on the island of Molokai, said colony to be henceforth known as the "Molokai Reservation for the Segregation and Maintenance of Leprous Persons of this Territory," and the same to be under the authority and charge and direction of the Secretary of the Treasury of the United States.

We favor an amendment to Section 80 of the Organic Act enabling the voters of the Territory to elect by ballot all county boards.

We pledge our Delegate to obtain from Congress the much needed appropriations for local Federal improvements in this Territory.

We favor a policy of "statehood for Hawaii," and believe that we can best demonstrate our fitness thereto by an honest, capable and economical administration of county and municipal affairs for the common good of the whole people.

To secure the passage of a law by the Congress of the United States at as early a day in the coming session as possible of an Act authorizing and empowering the county, town and municipalities created within this Territory by the coming Legislature, to possess, use and control all public property of the Territory necessary for the establishment, maintenance and conduct of such counties and municipalities;

We pledge our Delegate to actively press the justice of special recognition by the Congress of the United States on the ground both of moral principle and human law, of the entire equity and magnanimous courtesy of granting to our beloved Ex-Queen, Liliuokalani, a substantial pecuniary sum commensurate with her former position and dignity in answer to the prayer of all equity-loving Americans in Hawaii.

We ask our Delegate to secure from Congress a liberal appropriation for the establishment of a free Territorial University in Hawaii to meet the needs of a large number of ambitious young men and women, who otherwise would, because of lack of financial means, be unable to obtain the liberal education which they crave.

We pledge our candidates to the Legislature to support the following measures:

To pass the most liberal forms of county and municipal government, and that they must omit no endeavor to secure those forms of government which are "intuitive with the American," and regarded as a part of his birth right.

To amend the existing election laws and to insert, among others, a proviso permitting all employees entitled to vote at general and special elections held within this Territory, to attend and vote at each election for three consecutive hours without reduction of pay for time lost.

To so amend the labor act as to permit the selection of unskilled labor from among the voters of each political party in the Territory of an equal a number as practicable from each party, and making unjust discrimination in such selection a misdemeanor.

To pass a law establishing an agricultural school in the Territory of Hawaii and setting aside a suitable appropriation for this work.

We pledge our candidates who may be elected to the Legislature of 1905 to give immediate relief to the mass of our poverty-stricken citizens through the enactment of laws providing for the same governmental encouragement and financial assistance to small farmers and homesteaders that has for thirty years past been bestowed upon our sugar corporations, Oahu Railway, electric company, etc., and brought them to their present prosperous perfection, to the end that the foundation of the coming state of Hawaii may be laid invincibly for all time upon the shoulders of resident Americans, small farmers, laborers and homesteaders upon whose vital Americanism alone can a free patriotic and moral state be built and maintained.

(Continued on Page 8.)

CHICAGO STRIKE SITUATION.

CHICAGO, Aug. 2.—The situation in the packing houses is becoming normal. Last night there was a clash outside between police and rioters.

BRITISH MINISTRY SUSTAINED.

LONDON, Aug. 2.—Campbell-Bannerman moved a vote of censure in the Commons yesterday which was rejected by a vote of 288 to 210.

STRIKERS GOING BACK.

KANSAS CITY, Aug. 2.—The strikers are returning to work.

BARTON RETURNS

Comes With a Party to Study Our Craters.

Prof. George Hunt Barton, the eminent geologist of the United States, accompanied by a party of ten teachers from Boston, arrived on the Aorangi last night and will spend a month in the islands exploring the extinct volcanoes on this island, Haleakala on Maui and Kilauea and Mauna Loa on Hawaii.

This is not Prof. Barton's first visit to Hawaii, for from 1881 to 1883 he was an assistant in the Hawaiian Government survey office under Prof. W. D. Alexander and obtained an intimate knowledge of the geology of the islands.

He is now the head of the Institute of Technology of Boston, and his party is made up of teachers of the East who are students in the Institute. Once a year the professor heads an exploration party into some mountainous section of the country, and the present trip is the longest they have yet undertaken.

Prof. Barton said last evening at the Hawaiian Hotel:

"We have a summer school known as the Teachers' School of Science in Boston where I give instruction to teachers during the winter, spring and autumn. During the summer we take trips somewhere, but this is the first time a party of us has travelled such a long distance to seek the knowledge we desire. We are here to see volcanic action if possible. We are going to study first the oldest of the extinct volcanoes which are on the island of Oahu, then we will go to Maui to study Haleakala, which is not so old a crater as those on Oahu, and then we will take in Kilauea and possibly Mauna Loa to witness a living volcano. Of course I know all these thoroughly."

"I believe the volcanoes of the Hawaiian Islands are the best to study, because they are of various ages and are in close proximity."

"Our researches have taken us to Nova Scotia for general geological work. We have also been across the continent to the Yellowstone Park and the Canadian Rockies."

Prof. Barton was born at Sudbury, Mass., July 8, 1852, and lived there on a farm until twenty-one years of age. He studied at the Warren Scientific Academy at Worburn, Mass., from 1874 to 1876, and graduated from the Massachusetts Institute of Technology in 1880. In 1881 and 1882 he was an assistant on the Hawaiian government survey. He holds the chair of biology in the Boston University, and has been an assistant in United States geological work. As head of the Institute of Technology at Boston he exercises a wide scientific influence.

In 1896 Prof. Barton accompanied Lieut. Peary on his sixth expedition into the Arctic regions, and left the party about half way on that journey. He remained in Greenland some time collecting geological data, taking many photographs, from which he has made a large number of valuable lantern slides. It is possible that Prof. Barton may be induced to deliver a lecture here on his Arctic travels as he has the slides with him.

He is a member of the Boston Society of Natural History, National Geological Society, Geological Society of America, Boston Scientific Society, Arctic Club, National Forestry Association, Massachusetts Forestry Association, president of the Appalachian Mountain Club. He is the author of "Outline of Elementary Lithology," "Structural Geology" and other scientific treatises.

RIOT WAS SERIOUS

Over Fifty Men Were in the Waialua Fight.

According to Deputy Sheriff Chillingworth, who arrived from Waialua last night, the fight between factions of the Tai Sing Society was an extraordinary encounter in which a large number of Chinese participated. Chillingworth brought nine Chinese, all charged in connection with the riot, to Honolulu.

The Deputy Sheriff stated that as a result of a factional dispute in the society forty-five or fifty Chinese made a night attack on a store occupied by the other faction, represented by about seven men with the intention of cleaning it out. They succeeded in doing this, fighting with revolvers, iron crowbars, hoes, clubs, and every sort of weapon. In ransacking the place they rifled a trunk of \$42.50. This money has passed through a number of different hands since the fight occurred but the police discovered that two men brought the money to Honolulu yesterday and then returned to Waialua. Deputy Sheriff Cox arrested these two men at Waialua and they will be brought to Honolulu today.

Two of the Chinese brought in last night were so seriously hurt that they had to be taken to the Queen's Hospital. Chung Sung had been shot through the left breast, the bullet emerging from his back. The other Chinese had been shot through the right leg.

The remaining seven are at the police station. They also have all been wounded. Their injuries are of many descriptions, one man having a broken

arm another a broken finger, and all being more or less bruised up.

As evidence Chillingworth has a sack filled with crowbars and other weapons used in making the attack.

Chillingworth found it hard to secure information from either the attacking party or its victims, but in various ways he was enabled to secure enough to make the nine arrests. One man admits having broken open the trunk which contained \$42.50.

PORTO RICANS WERE CAUGHT RED-HANDED

Ventura Castino and Santiago Fontaro, two bad Porto Ricans, were caught red-handed on Thursday night at Waimanalo in an attempt to rob the plantation store. Detectives McDuffie and Rane, Officer Ah On and the bookkeeper of the plantation were in hiding near the office, when the would-be thieves made the attempt, the officers having been warned beforehand that the effort to burglarize the place would be made. The head of one of the watchers was seen by one of the Porto Ricans and they started to run away, but were caught. One had a revolver and the other a dirk knife.

It was supposed by the men that the money to pay off the employees would be in the office. The money was not sent there, however, owing to a tip being given of the proposed raid. A third man who had accompanied the men, turned state's evidence, and the two men were sentenced in police court yesterday to a year's imprisonment each. Santiago recently left Oahu Prison where he had served six months for holding up Japanese. The other had served time for stabbing a man. Santiago threatened to fix the officers when he got out of prison.

HOME RULERS WANT TOO MUCH

The question of the division of the big precincts is occupying the attention of the various political parties. The Democrats and Home Rulers have decided on their method of division of the first precinct, Fourth District, which is not in accordance with plans being formulated by the Republicans. The Democrat-Home Rule plan is said to divide the precinct so as to give these two parties entire control of one of the proposed new precincts.

The same is reported of the fourth precinct, Fourth District, where the Democrats and Home Rulers have drawn a line which will serve their purposes best.

A proposed division of the eighth precinct, Fourth District, by the Democrats and Home Rulers, would give one precinct an overwhelming Republican majority and in the other a full majority for the Home Rulers.

BATTLESHIP IOWA

ONE RESULT OF HER ACTIVITY IN THE SPANISH WAR.

An Experience of One of Bob Evans' Marine Engineers—A Direct Legacy of the Days of Action.

The part played by the U. S. battleship Iowa at Santiago and elsewhere in West Indian waters during the Spanish war, is well known. People, however, hardly dream of some of the far-reaching consequences of the discipline which had then to be maintained.

One of the brave men aboard the Iowa bore about with him for several years a very unpleasant reminder of his service on that famous ship. This man is Mr. George E. Parquette, now residing at 326 Sixth avenue, Troy, N. Y., who was a marine engineer on the Iowa when, under command of Captain Bob Evans, she was performing brilliant exploits in battle and in filibuster-chasing in Cuban and Porto Rican waters. Of those stirring times Mr. Parquette says:

"Whenever we were expecting an engagement our meals were very uncertain, and, when we did eat, we had to be minute men. The constant anxiety and haste affected my stomach and put it in a very bad condition which lasted for four years notwithstanding the fact that I was under a doctor's care. I could scarcely keep anything on my stomach and I suffered greatly from steady pains in the lower part of it. My appetite too, was very poor and for four months I was in bed.

Other troubles developed. I had severe headaches, and at times I felt as if something was clutching at my heart. My blood got out of order and I had fever and coughing spells. My stomach finally became so bad that I do not think it could possibly have been worse when in the fall of 1893 I first heard of Dr. Williams' Pink Pills for Pale People, and began the course of treatment which gave me surprising relief at once and finally cured me."

Dr. Williams' Pink Pills agree with the most delicate stomach and create an appetite. They put the stomach in a condition to digest the food and insure its proper assimilation. They expel poisons from the blood and they rapidly build up weakened constitutions and give new vitality to overwrought nerves. They are sold by all druggists throughout the world.

Joe Pritchard, of Honokaa, making his first visit in eleven years to Honolulu, was present at the dedication of the new Odd Fellows' hall.

CHOP TIN SHOT OUT ON HIS OWN EVIDENCE

Judge Dole Takes Jurisdiction on Account of Apparent Injustice but Finds the Case Was Too Weak to Help the Man.

(From Saturday's Advertiser)

Judge Dole rendered a Chinese Exclusion Act decision yesterday, on the petition for a writ of habeas corpus for Chop Tin. While the court takes jurisdiction, against the demurrer, on the ground that Chop Tin did not have a fair deal in his examination by the immigration officers, it sustains the demurrer on the ground that the evidence of facts which Chop Tin would have produced in the examination, should have been accorded does not show that he was entitled to enter the country. Chop Tin's claim was that he was a merchant, from an interest he possessed in a store at Kapala, Kauai, and hence entitled to re-enter the Territory after an absence therefrom. Following is Judge Dole's decision in full, the sub-headings being the Advertiser's:

In the District Court of the United States, in and for the District and Territory of Hawaii. April Term, A. D. 1904.

In the Matter of the Petition of Yip Chong for a Writ of Habeas Corpus for Chop Tin.

C. W. Ashford, attorney for petitioner; J. J. Dunne, Assistant U. S. Attorney, for the Government.

THE CASE STATED.

The petition in this case is by Yip Chong who alleges that he is a cousin of Chop Tin in whose behalf the writ is prayed for. The petition complains that Chop Tin, a person of Chinese birth, is restrained of his liberty by the respondents, F. M. Bechtel or J. K. Brown, or both of them; the respondents being officers of the Department of Commerce and Labor or Inspectors of Immigration. That on or about June 1st, 1904, he arrived at Honolulu on his return from China and was thereupon detained by the respondents and has since been held in imprisonment on the ground that he is a Chinaman and not included in any of the exceptions of the Exclusion Laws of the United States, and therefore not entitled to land in Hawaii. When the case came on to be tried, the District Attorney demurred to the petition, the first two allegations of his demurrer being as follows:

"1. Said court has no jurisdiction herein over either the subject-matter or the person.

"2. Said court has no jurisdiction herein either to receive, entertain or adjudicate said petition or to make any order, judgment or decree thereon."

JURISDICTION DISCUSSED.

The question of jurisdiction in this case depends on the facts. "An alien immigrant, prevented from landing by any such officer (Collector of Customs and Inspectors acting under their authority) claiming authority to do so under an Act of Congress, and thereby restrained of his liberty, is doubtless entitled to a writ of habeas corpus to ascertain whether the restraint is lawful." Nishimura Eku vs. United States, 142 U. S. 651, 660; Lem Moon Sing vs. United States, 158 U. S. 533, 543.

Under Section 2 of the Chinese Exclusion Act of April 29th, 1902, (32 Stat. L. 1st part, 176), the Secretary of the Treasury was empowered to make rules and regulations "not inconsistent with the laws of the land" for carrying out the provisions of such Act and other Chinese Exclusion Acts and the Chinese treaty, and, with the approval of the President, to appoint such agents as he might deem necessary for the execution thereof. This authority was transferred to the Secretary of Commerce and Labor and to such officers under the control of the Commissioner-General of Immigration, with the written views of the officer in charge, unless further delay shall be allowed only in those instances in which the above limit of three days "would occasion injustice to

EIGHT PROJECTED FORTS AND BATTERIES ARE TO SAFEGUARD HONOLULU

FORT AT PUULOA.

FORT AT BARBER'S POINT.

BATTERY AT OLD WAIKIKI.

BATTERY NEAR LIGHTHOUSE, DIAMOND HEAD.

BATTERY AT NIU.

MORTAR BATTERY AT HOME FOR INCURABLES.

BATTERY AT WAIANAE GAP.

PLATFORM FOR FIELD BATTERY AT PALLI.

The above program is derived from high military sources. It bears out Lieut Slattery's statement that when the plans of the War Department are carried out, Honolulu will be one of the most strongly fortified places in the world.

The War Department has had its eye on the Home for Incurables site for some time and intends to get it either by purchase or condemnation.

The defenses at Waikiki are said to contemplate a battery of two 12-inch guns and a secondary battery of eight six-inch guns.

Various estimates have been put on the Waikiki property and it is said that \$100 per front foot is thought to be the price that will be asked by property owners. As 1300 feet frontage is required by the War Department, this would make the property valuation \$130,000.

The Afong and McCandless homes are of a modern type and the improvements on all the property have given them a value far above the property lying to the rear, which is mostly in waterways at present.

the appellant or the risk of defeat of the purposes of the Act."

HARD CONDITIONS.

In this case, so far as the allegations of the petition go, the prompt examination of the said Chop Tin took place upon his arrival on the 1st day of June, without opportunity on his part to procure or produce witnesses or to make any showing other than his statement through an interpreter and apparently without counsel. Upon this examination a decision was rendered refusing Chop Tin the right to land. Notice of appeal was given and perfected on the 3rd of June. At this stage, through the efforts of petitioner, counsel was obtained on the 4th of June, and the Inspector in charge thereupon extended the time in which the said Chop Tin might make a further showing of his mercantile character and of his right to land, until June 7th. It would appear from the rules above referred to that so much time at least was allowed by them for further preparation. Such extension of time allowed no possible opportunity for Chop Tin to produce the evidence required, without chartering a steam vessel. The necessary evidence was on the Island of Kauai, 100 miles away, that being his former residence. The 4th of June came on Saturday. I think the court may take judicial notice of the fact that there are no regular departures of vessels for Kauai from the port of Honolulu on either Saturday or Sunday, and that there are no regular departures for Honolulu from the Island of Kauai on either Sunday or Monday. Under these circumstances it was impracticable for Chop Tin's counsel to produce the evidence in question within the three days ending June 7th. It might and should have been produced June 11th, although the explanation of the failure to do so is some excuse it was not produced until June 15th and then, according to the allegations of the petition, was not considered or received by the Immigration officer, Mr. Brown or any other person authorized to act in the premises.

RULES ARE DEFICIENT.

The rules referred to above, however reasonable they may be in regard to other classes of applicants for admission, are singularly inappropriate for the investigation of applications for admission on the ground that the applicant was formerly engaged in this country as a merchant, in which class of cases as stated above, the statute requires the applicant to establish the necessary facts by two non-Chinese witnesses, which implies, in all fairness, that the applicant shall have a reasonable opportunity to produce such witnesses. The failure of the Immigration officer in this case to allow sufficient time for the applicant for admission to produce the proof required by the statute would have "occurred injustice" to him if his evidence had been sufficient. The provision of Rule 10 for an allowance for further time does not make it a matter of discretion with the Immigration officer, whether such further time shall or shall not be allowed. In a negative way it requires such delay if in the judgment of the officer a refusal would result in injustice to the applicant. The statute, by implication, requires an opportunity to be given to the applicant to produce the proofs which it makes necessary to his admission. That injustice must result to a bona fide applicant for admission on the ground of former occupation as a merchant in this country, who has made a long voyage with such an object in view, and who is ready to offer sufficient statutory proofs, and is arbitrarily refused an opportunity to do so, cannot admit of a doubt, and such must be the judgment of any intelligent and unbiased person.

DECISION ON FACTS.

The other grounds of the demurrer are upon the insufficiency of the facts alleged. Copies of affidavits of two non-Chinese witnesses are made a part of the petition. These affidavits make the case as prepared for the consideration of the Immigration officer, and which it is alleged he refused to receive and consider. The allegations of these affidavits are insufficient in the judgment of this court to prove that the said Chop Tin was a merchant within the meaning of the said Act of November 3rd, 1893, in that it is not shown that the business of the firm of Lung Tai Jan, of which he claims to be a partner, was conducted in his name, which words, under the leading authorities, require "that the interest of the merchant must be real and appear in the business and partnership articles in his own name." Lee Kan vs. United States, 62 Fed. Rep. 914, 918. The law requires this fact, among others, to be established by two non-Chinese witnesses and that "in default of such proof (the applicant) shall be refused landing." Act of November 3rd, 1893, Sec. 2. If the Immigration Inspector had received and entertained the affidavits in question, he must have refused admission to the applicant, for the reasons stated above, i. e., the absence of any evidence tending to show that his interest in the firm of Lung Tai Jan was real and appeared in the business and partnership articles in his own name.

This being the case it does not appear that the said Chop Tin has any thing to complain of as to his detention. The demurrer is allowed on this ground. (Signed) SANFORD B. DOLE, Judge U. S. District Court, Honolulu, July 29th, 1904.

AS USUALLY TREATED a sprain will disable the injured person for three or four weeks, but if Chamberlain's Pain Balm is freely applied a complete cure may be effected in a very few days. Pain Balm also cures rheumatism, cuts, bruises and burns. For sale by Benson, Smith & Co., Wholesale Agents.

Attorney D. H. Case of Waialuku was in consultation with Attorney General Andrews yesterday over the Lahaina water controversy. A compromise of the conflicting interests of the Board of Education and Pioneer Mill Co. is likely soon to be effected.

ALL KINDS OF FIREMEN

Prison Trustees and Japanese Put Out Fire.

(From Sunday's Advertiser)

With Japanese sugar packers stripped to the waist, Oahu prison trustees in their striped and denim suits and the regular force of firemen, to play the fire hose on burning buildings adjoining the cable tanks in Iwilei, a dense crowd of spectators yesterday had an opportunity to see a fire-brigade in operation as cosmopolitan as could be found anywhere. The fire destroyed a large dwelling house belonging to Louis Toussaint of the Metropolitan Meat Market and the two-story store of C. Eon, the well known Chinese merchant. The alarm was turned in shortly before 2 o'clock but owing to the dryness of the wooden buildings they were reduced to charred ruins before the fire department could get the flames under control.

The buildings topped the big coral reef on which Oahu Prison stands, and faced the line of Railroad Wharf sheds just across the tracks. The Pacific Commercial Cable company's big cement tanks for preserving extra cable, covered by a high structure of wood and corrugated iron, adjoined the burning structures, but owing to quick aid rendered by Japanese stevedores the fire was confined largely to the Chinese stores.

Smaller houses just behind the stores and in line with a brisk breeze then blowing, suffered, and the tenants were driven out, losing much of their household goods. In all about thirty-five Hawaiians and Chinese were rendered homeless, but most of them were given accommodations near the Prison by Warder William Henry. When the fire first broke out the wharf superintendent got out some big hose and aided by the Japanese stevedores who were stripped to the skin ran line to the side-nearest the cable tanks. The fence was broken open and the men, whose bare skins must have almost blistered, stuck loyally to their hose and drenched the cable structure. Fires, which broke out fiercely in the dry grass around the cable house, were put out with palm branches wielded by the Japanese.

Prison trustees working in an adjoining yard ran over and taking a hose carried it over a half burning house and worked manfully. Trustees Ben Gallagher and D. A. Mackintosh held the nozzle. A Chinese woman carrying a baby in her arms refused to leave her home and sat down on the floor. She had to be carried out by two trustees, while the room above her was a mass of flames. Within five minutes after the alarm sounded Captain Ollsen had brought the "Fearless" over from the Oceanic dock and soon had two streams of water on the buildings. The "Fearless" is capable of operating six powerful streams of water from her two pumps. Captain Ollsen was commended for acting so promptly in the matter.

NEXT MEETING OF FARMERS' INSTITUTE

The next regular meeting of the Farmers' Institute of Hawaii will be held at Waialua on Saturday, August 14th.

The evening session promises to be of unusual interest and will well repay one for the time spent. The following program will be presented:

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no report was necessary, although a motion was made and carried that the sidewalk committee be continued as they might be of use in conjunction with the road board.

A motion was made that the vice president appoint a committee of five to confer with the road board as to needed improvements. After considerable discussion whether this committee would conflict with the road board, the motion was carried.

W. J. Coelho was appointed a committee of one to look after tree planting from Maiaaea Bay to Wailuku and to Kahului, and authorized to call upon such persons as he deemed essential, and his methods would be backed up by the Association.

Judge Kepoikai announced that he had received a wireless message from Acting Governor Atkinson asking the Improvement Association to recommend any Federal improvements for Maui. The executive committee and officers of the Association met last evening and probably recommended a breakwater, wharves, lighthouses and other improvements.

Mr. Lovekin made a motion which carried that a committee of three be appointed by the chair to confer with the road board and learn if hitching posts and watering troughs were available for Kahului and Wailuku.

Max Eckart was appointed a committee of one to report to the executive committee what it would cost to place the town clock in working order.

THE REPUBLICAN CLUB.

At a meeting of the Wailuku Republican Club on Wednesday evening, resolutions moved by W. J. Coelho were passed endorsing the Chicago nominees and the administration of Governor Carter and Secretary Atkinson, also instructing the delegates to the Territorial Convention to vote for Prince Kuhio Kalanianaole for Delegate to Congress.

The meeting decided that under the Organic Act a county board of supervisors could not be elected by the people, that Congress should be asked to amend the Organic Act so that boards of supervisors could be elected instead of being appointed by the Governor and that a County Act should provide for county control of education, health, roads, bridges and wharves.

Judge Kepoikai made a speech sustaining the Governor in his administration, saying that many had predicted a mudslide during Governor Carter's incumbency, on account of his being a young man and quick to take action, but that the Governor had shown the people of the islands and of the mainland, while the legislature was in special session, by his work in whipping into line the various factions, that the present territorial administration was in touch with the people. The Judge stated that he fully believed the Governor to be strictly fair in his administration. While there had been at one time friction while he was Treasurer, they had parted the best of friends, and even after he had accepted the judgeship the Governor had expressed an opinion that if he had wished to remain as Treasurer they would always be in harmony. He believed the Governor aimed high in political life.

Another party consisting of Misses Turner, Buff, Holden and Singleton, Mrs. Evans and others visited the crater yesterday.

Mrs. Heavy of Honolulu is visiting Mrs. W. F. McConkey of Paia.

Miss Alice Smith of Waianae is quite ill with grippe at Paia Plantation Hospital.

Sub-Land Agent W. O. Aiken visited Kauai and Nahiku this week. He was accompanied by J. M. Cox of Kilauea, Kauai.

At a meeting of the Makawao Polo Club held last Saturday afternoon on the Paia grounds, three of the four players in the coming game with Kauai was announced: Geo. W. Wilbur, No. 1; W. O. Aiken, No. 2; F. F. Baldwin, captain, and either No. 3 or No. 4. The fourth man will be selected later on.

Weather: Still very dry in Central Maui.

WAILUKU'S IMPROVERS

WAILUKU, July 30.—The Wailuku Improvement Association held its monthly meeting Thursday evening.

After discussing the report of a committee on a garbage dumping ground, the meeting decided that the committee appoint a finance committee of its own, go ahead and raise the necessary funds and close negotiations without reporting back to the Association. H. P. Baldwin with whom the committee corresponded, had left the selection of a site to Judge Kepoikai, land agent of H. C. & S. Co.

W. F. Crockett for the fish market committee asked for further time in which to complete report, but reported that a building 40x60 containing twelve stalls, with five foot passage ways and concrete floor, would cost \$1500; that Market street was the most central location and that possible co-operation with the cattle men might be obtained, thus having the "selling of meats, fish and vegetables under one roof, where inspection by the Board of Health or the police would guarantee cleanliness.

Judge McKay for the cemetery committee stated that he held the original charter and deed of property to the Wailuku Cemetery Association and that application would be made to Circuit Judge Kepoikai to authorize the calling of a meeting of four members, which would legalize all business necessary to revive this Association.

As the appropriation of \$600 for sidewalls for Wailuku had run out June 30

Ladies of the families of K. P. brothers gave a leap year dance last Saturday evening, which was largely attended by the best element of central Maui society. Mrs. Strenback, Mrs. E. Carley, Mrs. W. G. Scott and Mrs. G. Hansen were the patrollers. The Maui News complains editorially that the ball was put under police espionage, an officer placing himself at the inside door with his star conspicuously displayed. It is reported by the same paper that the initiation goat of the K. P. burst into the hall from an ante-room while the grand march was being played. "Mr. W. G. Scott, who appeared to be standing near the door," the report says, "was impaled on its horns and borne entirely across the room, while Dave Myer gallantly hung onto its tail, yelling at every jump, 'Whoa! Cyclone!' Finally the stalwart K. P. brothers rallied, overpowered the brute and forced it back into its cell."

COFFEE FARM.

Ten years ago Judge Copp was so

thoroughly convinced that coffee would

grow in the Kokomo district of Mak-

awao that he devoted fifteen acres of his

home property to the berry. His orig-

inal supply was from half grown trees

believed to have come from the Azores,

but later abandoned. Judge Copp be-

lieves that trimming has the same effect

on the trees as the bleeding of a person,

as it weakens the trees and retards their

growth. The entire crop, outside of

supplies to a few families, is shipped

in the parchment to the Hilo Coffee

Mill. Judge Copp also tried pineapple

raising but finds that only the Hawaiian

species thrives at that altitude.

GENERAL ITEMS.

The Kahului defeated the Morning Stars, 8 to 7, in Sunday's ball game.

A. J. Gomes, the Paia station agent for the Kahului Railroad, announces that on August 11 he will journey to Honolulu to marry Miss Matilda Gomes, daughter of Manuel Gomes.

J. H. Shand, carpenter for Puunene plantation, is at Makawao building a summer cottage for employees of this plantation who desire a vacation in a cool, invigorating climate.

Paia plantation will finish grinding

in about three weeks time. It is ex-

pected that 8000 tons will be the sea-

son's output.

Another Waipahu Strike.

Waipahu nearly had another strike

Friday afternoon according to the story

brought in yesterday by Deputy Sheriff Fernandez.

It seems that a Korean died in the hospital of abdominal trou-

ble, making a dying statement to the

effect that Dr. Hoffman had kicked him

in the stomach. This obviously absurd

statement was accepted as true by the

men and all the Koreans on the place-

two hundred in number—struck. The

Deputy Sheriff procured an interpreter

and persuaded the men to return and

promising a coroner's inquest. A post-

mortem by Dr. Davis showed the in-

testines to be in a bad condition and

death due to natural causes. The in-

quest will probably be held Monday.

CAREER OF H. C. ADAMS

Retires From Kaneohe School After Long Incumbency.

(From Sunday's Advertiser)

Henry Cobb Adams, whose resignation as principal of Kaneohe school was briefly mentioned in yesterday's Advertiser, has had considerable of a career of which much has relation to these islands. He arrived here first as chief officer of the steamer Hankow with 1500 Portuguese immigrants in 1883, being then the youngest chief officer in the employ of Wm. Milburn & Co. of London. Having made the return trip to London via Hull, Mr. Adams was appointed purser of the Atlantic liner City of Paris, which came here with more Portuguese immigrants in July, 1884.

On the arrival of the City of Paris the Portuguese Consul, Senhor Canavarro, requested Major J. H. Wodehouse, the British Minister, to hold a naval court of inquiry relative to an excessive death rate on board the vessel, also as to the cause of an accident that happened on board at Coronel, Chile, while the City of Paris was participating in the celebration of a Chilean victory. The captain, officers and purser were tried before the commander of the Mutine and exonerated. On this occasion Mr. Adams, as the representative of Mr. Hoffnung of London, made some remarks that were complained of as offensive by a gentleman since deceased. The family of Mr. Adams has been connected with the navy and church in England from time immemorial.

Mr. Adams's original appointment under the Board of Education was to the Reformatory school in 1886. He was requested to go as first lieutenant in the Hawaiian cruiser Kaimiloa on the famous Samoan expedition the same year, but declined the honor. Mr. Adams was appointed principal of Kaneohe school in 1891, when it had an attendance of forty-six pupils, of whom eighty-nine per cent were Hawaiians, six per cent part Hawaiians and five per cent Chinese. These figures form an interesting comparison with those of the school on his resignation, when the attendance numbered sixty-eight pupils, of whom forty-five per cent were Hawaiians, eighteen per cent part Hawaiians, thirty-three per cent Chinese, three per cent Japanese and one per cent American.

In 1891 there was no school at either Waimanso or Kailua. Children used to ride over to Kaneohe from those places daily, some staying with friends in Kaneohe for the week. The population of the village has since been greatly reduced through deaths of the aged and migration of the younger people to Honolulu and elsewhere.

Mr. Adams has not found life unpleasant or tedious in Kailua, where the climate is much cooler than in Honolulu. He found ample relief in devotion to arboriculture and reading. The school grounds have been greatly improved under his direction by the planting of trees. More than thirty of the children attending school since 1891 have died. Mr. Adams, as school agent for the district, will retain his interest in the school. He resigned the principalship chiefly on account of his health, which has been poor since an attack of pleurisy in the early part of May. Doubtless the Department of Public Instruction will record a vote of thanks to him for his services.

Mr. Adams has a private place at Maunawili, Kailua, where he intends going fully into arboriculture with fruit trees a specialty. He will also do considerable stone wall building to protect the land along the banks of streams.

HILO HAS THE RIGHT OF WAY

Hilo will undoubtedly be given the Republican convention. Chairman Crabb, while not favoring Hilo, stated yesterday that the straws were all pointing that way.

H. R. Mills, a well known resident of the big island, who came to Honolulu on the Mauna Loa, does not quite favor holding the convention at Hilo.

"It is the one big opportunity most of the residents of Hawaii elected to the convention have of coming to Honolulu and transacting business as well as attending the session," said Mr. Mills yesterday.

The meeting of the Territorial Central Committee of the Republican party, which will decide the place where the convention shall be held, is advertised for Friday evening, August 8.

JAPAN'S SIEGE GUNS WERE SURELY LOST

That the siege guns of the Japanese intended to be used in the assault on Port Arthur were lost in a sunken transport in the Yellow Sea is confirmed by War Correspondent Fletcher Fuller. He was at Nagasaki when the Sado Maru, sister transport of the vessel which carried the siege guns, arrived in port. Fuller believes that a Japanese informed the Russians of the intended shipment of the big guns, for the Russians singled out that vessel above all others and sent her to the bottom.

POLITICS ON BIG ISLAND

The Citizen Labor Question Is Still Up.

the four miles of roadway should be reconstructed, at an approximate cost of \$20,000, whereas the last legislature only appropriated \$2,520 for the rebuilding of this highway.

RAILROAD ECONOMY.

Under the advice of Fred C. Smith, a general policy of retrenchment has been inaugurated by the Hilo Railroad, which contemplates a reduction in salaries and force in the operating, construction and freight departments. This is found necessary on account of the large payroll carried by the company without any increased business in the various departments named. While the shops will not be closed, they will be run with a reduced force of employees. John W. Kelker, the master mechanic, leaves on August 1st, as well as Car-builder John McTaggart, both of whom are skilled workmen.

FAREWELL TO McSTOCKERS.

Last Saturday evening nearly all the overseers and leading plantation employees gathered at the Olaa club house, to present to F. B. McStockier, late manager of the Olaa plantation, and Mrs. McStockier, a beautiful silver tea and coffee set, together with an exquisitely cut glass wine set. On behalf of the employees, bookkeeper F. J. Clay made the presentation speech, which was responded to by Mr. McStockier in a graceful and appreciative manner.

HAWAIIAN CURIO DISPLAY.

A fine display of curios may be seen at the Board of Trade rooms, through the courtesy of Dr. Holland, who has kindly loaned a small part of his collection. There are numerous lava formations and specimens of lava stalagmites, olona fishing line 100 years old, ancient Hawaiian lamp, human-bone fish hook, fish basket over 100 years old, and a cane made of 36 different Hawaiian woods. A number of plaster casts of hieroglyphics are on exhibition, which were found by Dr. Holland in caves in Kauai. These casts indicate that there must have been some sort of a sign language among the natives before the missionaries came here.

IMPROPER PICTURES.

J. H. Kahn of Honolulu, dealer in pictures and other works of art, was arrested last Monday by Sheriff Andrews, charged with common nuisance in exhibiting for sale, certain obscene pictures tending to corrupt the morals of youth and other persons. Mr. Kahn arrived by the last Kauai with a stock of pictures, engravings, etchings, etc., which he had on exhibition in the auction rooms of I. E. Ray in the Baldwin Block. Kahn's defense was the picture was allowed the use of the water day-times was that Wailuku residents had acquiesced in the arrangement for so many years that at last it had become a right. The only two owners who had opposed the taking of the water by the plantation were W. H. Daniels and E. H. Bailey and consequently they were excepted from the ruling and were the only ones allowed the use of their share of water both day and night.

The principal and most important point now at issue (as stated by a prominent Wailuku citizen) is concerning freshets: to whom does the freshet or surplus water belong.

The H. C. & S. Co. claim such water as the representatives of the konohiki or king; the Wailuku Sugar Co. and natives say that to take away the freshet water will deprive them of most of it, for usually the valley stream, subsides runs lower and lower for several days, and then comes a mountain rain causing a sudden rise or freshet. This is the usual and natural order of events in the valley.

Such a difficult question as this can best be decided by men of much legal training, by the Territorial Supreme bench.

MAUI NATIVES WILL APPEAL TO ROOSEVELT

To Protect Water Rights—They Regard Law Uncertain—Polipoli Springs Rumored Dry.

Sports and Society.

MAUI, July 30.—The famous Iao Valley water question is again attracting public attention on Maui since the recent reopening of the matter by the Supreme Court. The three-cornered legal battle, as is well-known, has been between the Wailuku Sugar Co., the Hawaiian Commercial and Sugar Co. and Wailuku natives who are owners of kuleana.

The last-mentioned have recently been raising a fund to engage the services of W. A. Kinney and the other attorneys of the Wailuku Sugar Co. to appear for them when the case comes up again for trial. This action unites the Makawao district walked to the top of Piholo and enjoyed a supper by moonlight, 2200 feet above the sea-level. The festivity was given as a farewell to Geo. H. Baldwin, who departs today on his vacation to be spent in California.

A party consisting of Mrs. James Scott, Moses Sheffield, Fisher, Taylor and Peck, Messrs. Dietz, Reid, G. S. Diker and W. Engle entered the crater of Haleakala Tuesday night and after two days of exploration returned home on Friday.

Another party consisting of Misses Turner, Buff, Holden and Singleton, Mrs. Evans and others visited the crater yesterday.

Mrs. Heavy of Honolulu is visiting Mrs. W. F. McConkey of Paia.

Miss Alice Smith of Waianae is quite ill with grippe at Paia Plantation Hospital.

Sub-Land Agent W. O. Aiken visited Kauai and Nahiku this week. He was accompanied by J. M. Cox of Kilauea, Kauai.

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Weather: Still very dry in Central Maui.

WAILUKU, July 30

Hawaiian Gazette.

Entered at the Postoffice of Honolulu, H. T. Second-class Matter.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

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TUESDAY : : : AUGUST 2

THE COUNTY AGITATION.

The opponents of a County Act cannot be fairly accused of antagonizing American principles. Counties are not American principles any more than Louisiana parishes are. They are conveniences of government made necessary where there are large populations or great areas; though in some large populations, like those of Greater New York and Washington, and in some great areas, like that of Alaska, they have either been eliminated or not introduced at all. In the Eastern States they were growths rather than creations; they came when people needed them and not before. And when they cease to be useful, as was the case with New York, Kings, Queens, Richmond and part of Westchester counties in the Empire State, they are abolished.

The position of the Advertiser on this question is American to the core. This paper simply urges the old American way of not establishing counties until there is either population enough to need them and support them or the sure prospect of such a population. Congress, in framing the Organic Act was doubtful enough on the County question not to make such a form of government mandatory here. It did not say to Hawaiians as it might have done, You shall erect counties; but simply gave them permission to have such luxuries if they could afford them. Had there been any American principle involved, Congress would have acted as it did in the matter of the postal and customs revenues and given us counties willy-nilly. But perhaps Congress is "un-American" too.

Counties at the present time mean a greater burden than Hawaii can afford without corresponding benefits. They mean at least one-third increase of taxation; yet it is all the people can do to stand taxes as they are. Again, they increase the chances of official delinquency and of that the people have endured all they care to make good. But one fair argument is made for counties and this is that each separate district would have the use of its own funds, minus those deducted for the Territory as a whole. Honolulu might save by this because now it pays a part of the cost of administration on all the other islands; but it would lose by the general tax increase for purely local purposes. As for the rest of the group an equitable division of the tax money has already been proposed by Governor Carter and it can be made without county intervention.

The promoters of County Government are chiefly politicians and their dupes; the opponents are the men who pay the bills. It ought to be possible for the taxpayers, especially as they are asked to meet the expenses of the coming campaign, to influence the conventions to go slow. In these times Hawaii cannot afford to take on new burdens. Eventually we must have counties; but a period of several years ought to elapse before anything is done.

LOOKING FORWARD.

When the War Department gets through with Honolulu this place will enter upon a new phase of its existence—that of a great fortress like Malta and St. Lucia. Things will be very different with us then socially and every other way. There will be many troops, a deal of gold braid, much of the pomp and circumstance of war and a large and permanent addition to the money-spending and consuming population. Inevitably the presence of the garrison will add to our tourist attractions, encourage farming—for a part of the military defensive plan must be to make Hawaii self-supporting—and keep the hotels lively the year around.

Counting in the naval station, the census of Honolulu should be increased by several thousand white men, women and children. It is calculated that a navy yard employing one thousand men, mechanics etc., would build up a family and trading population of five or six thousand. The army garrison will be large and its wants will inevitably attract business men here and multiply industries. Malta, which is 17% miles long by 94 broad, contains a population of 160,000, exclusive of British troops and their families and there are 24,000 white people living off the garrison and not a part of it. One may see by this what a fortified island, though a small one, means to trade. Hawaii, as the American Malta to come should profit correspondingly.

Brighter days are ahead, fellow-citizens.

THE NAVAL SITUATION.

It is hard to understand the Japanese naval tactics except on the theory that every available ship, not guarding transports, is at work helping the army against Port Arthur and cannot spare time from that important work to chase the Vladivostok squadron.

Apparently no attempt has been made either to close the Tsugaru straits or to patrol the approaches to Vladivostok. Else how could the captured Arabia have made the run from a point sixty miles off Yokohama to Vladivostok unscathed? She must have gone through the straits to reach her destination in the time given.

THE OTHER SIDE.

Another strong article on the Wai-pahu strike appears in the English column of yesterday's issue of the Weekly Hawaii Shimpō. It will be remembered that last week the Shimpō assumed a firm attitude against the strike, emphatically approving the then reported determination of the company to let the strikers out altogether if they did not quickly resume work. This course having been pursued, causing an inglorious capitulation of the strikers, the Shimpō now takes up the cause of the laborers to inquire if there is not a considerable amount of justice waiting to be done to them. It says that the manager, since demonstrating to the laborers the folly of making demands without law behind them, may now consider some of their demands in the light of moral right and propriety, as well as necessity. If there is justice on their side in some of the requests, the Shimpō argues that "it is to the interest of the plantation to grant the requests," adding:

"For example, it must be allowed that there is some justice in the wish for abandonment of some of the profit-sharing contract. It is a fact well known to most managers that the men who are engaged in working on these contracts, by greater diligence and keeping at it longer hours, do about double the amount of work on the plantation that others do. Directly or indirectly, this is for the benefit of the plantation. Certainly a company of laborers who feel that at the end of a year and a half or so of work they are going to be bankrupt, may be expected to want to go on wage basis. If through unforeseen causes, their returns are to be practically nothing above the bare allowance they have been receiving, the less more properly one for the plantation than for moneyless laborers. If it is desirable to encourage the profit-sharing system, and we understand that most planters desire to encourage it, consideration may well be given to showing as much generosity as possible to the profit-sharing employees whose many months of work seem likely to bring them no return. As a demand this proposition is rightly resisted. We commend it to the plantation managers for consideration as an appeal from their laborers who are threatened with nothing less than bankruptcy. They want laborers to stay in the islands, and to favor the profit-sharing system. The profit-sharing system and plantation labor itself are not likely to be popular among laborers who find themselves penniless at the end of their contracts. They will naturally want to leave the country. The proposition is one for the planters to consider from their own point of view, but from the laborers' point of view as well. We think they will use good judgment in modifying some of the labor contracts which were made under very different conditions, as regards the prospect of returns."

CLEANING-OUT MOSQUITOES.

The case of the Anti-Mosquito Committee has been proven. Never in any other year since the stinging insects became a pest has there been so few of them as now. Formerly our only relief came when strong trade winds carried mosquitoes out to sea in swarms; but the relief was only temporary, for all the while myriads of these insects were being hatched. Science has now taken hold of the breeding places and shown every householder how he may protect himself and his neighbors by either killing the larvae with oil or drying up the places where they propagate. In proportion as the people have been careful and the authorities vigilant, the mosquito pest has been reduced or eliminated.

The part of the Anti-Mosquito Committee is to keep an eye on householders, show them what to do against mosquitoes and how to do it, to remove tanks which may become insect nurseries, to drain stagnant places, use oil where necessary and encourage the use in ponds of larvae-eating fish.

All this costs money as paid inspectors have to be utilized. Subscriptions have been liberal in the past; let them be no less so in future. A little money invested in security from mosquitoes increases the comfort of residents and tourists alike and safeguards health. This city simply cannot afford to let the work of the Anti-Mosquito Committee lapse for lack of funds.

Attorney General Andrews, one of the best law officers Hawaii ever had, is not appreciated by the Bulletin. It is doubtful that he ever will be. There is but one way to get the undeviating support of the Bulletin and that is to embezzle public funds, do some graft in the Legislature or help get up a printing-ring with the Gear organ as the beneficiary. As Mr. Andrews is not in this class of public officials, he will probably have to receive the disapprobation of the boodle organ for a long time to come—a distinction common to honest and capable men in Hawaiian politics.

The Republican party would make no mistake this year in giving Hilo the convention. The district of which Hilo is the center is politically doubtful and it needs the stirring up that a convention would give it. Converts are easily made among Hawaiians at great gatherings. A sound political policy would be to take turns with Republican territorial conventions between Honolulu, Hilo, Waikiki and Lihue, giving all the large voting districts a chance to get into touch with them.

It is not likely that the Japanese have captured Port Arthur, a fortress comparable in many respects to Gibraltar. A good army, well-led, ought to hold that place until it had been starved out. Should the Russians lose Port Arthur by assault, the Czar might as well propose peace, for the fact would prove that his army is good for nothing.

The Star suggests that mosquitoes will eventually become so scarce that Prof. Bingham will import some for purposes of scientific study." The town will then learn that the mosquito is as harmless as the Kea bird and is never out at night.

What an absurdity to prosecute three Asiatics for unloading watermelons at the dock on Sunday when a hundred Asiatics, with their stores wide open are freely selling watermelons to Sunday customers.

Doan Ointment is sold by all chemists and storekeepers at 50 cents per box, or will be mailed on receipt of price by the Hollister Drug Co. Ltd. agents for the Hawaiian Islands.

MARKETING HOME PRODUCTS.

At last accounts alligator pears were selling in Hilo at the rate of fifteen and twenty for a quarter, the price here being four for a quarter. A Honolulu, noting that pears were not moving fast even at the lowest price, asked a Hilo producer why he did not ship his surplus to this city. He had started to, he said, but the commission men got all the profits. On some consignments he received nothing; on others so little that it was not worth his while to ship any more. A similar complaint, it may be said, has come from other growers and other islands, and as a consequence Honolulu has missed a chance to eat a great deal of home-grown fruit and vegetables, from oranges to celery, getting instead the products of California.

Inquiry among the middlemen reveals the fact that they do not want Island products unless they can be sure of getting as regular a supply as they now have from the coast. They fear that the island consignments would be intermittent. Disposed to take no chances they turn their backs upon the Hawaiian small farmer and market-gardener who, in turn, soon comes to town looking for a job, leaving his cleared land to return to lantana. Evidently if the back-country is going to be developed, some way must be found to market its product; some way that will assure the grower fair play from the retailer.

The matter is one, it seems to us, which might be wisely taken up by the Government. A stain or stains could be set apart in the Fishmarket for the sale of whatever island products may come consigned to the market inspector, he to exact a uniform commission of ten per cent for selling the wares. This commission would meet all expenses including clerk hire. In that way small farming and market-gardening could be encouraged and a movement begun which would, in the end, enable Hawaii to keep for itself the greater part of the tens of thousands of dollars that are annually going to California for products which we might easily raise here.

The public will be surprised, if this scheme is ever worked out, to see how much of good fruit and vegetables will reach the market from the suburbs of Honolulu, to say nothing of consignments from Maui and Kauai.

PROSPECTIVE NEW TRADE.

Residents of Honolulu who would consider an agreeable surprise upon relatives or friends living along any of the great express routes have something new disclosed to them by the successful experiments in shipping fresh fruit long distances which have been recorded

Hawaiian pineapples expressed to New York City have arrived in good condition. Something nice to send away, in the interval between one Christmas and another or at that season, is not the important feature, however, of this enterprise.

If the business can be done once it may be made a regular thing so that Hawaiian pineapples, avocados, pears and other delicate fruits may

come to be an indispensable feature of hotel tables and railway dining cars clear across the continent and up north to embrace the transcontinental routes of the Dominion.

To pave the way for such a traffic, however, small individual shipments by our people would be of great value. All who can afford the comparatively moderate expense should embrace the opportunity. That was a happy thought of Acting Governor Atkinson to have a case of choice pineapples expressed to President Roosevelt and his cabinet. The Tropic Fruit Co., Ltd., has issued a circular offering its services in the regard here mentioned, with a scale of prices f. o. b. at San Francisco for pineapples of its own raising at Waialua. This is doing a great public service, when viewed in the light of developing a new export trade for Hawaii. In its circular the company says:

"We have had six years' experience in shipping pineapples to the mainland, sending as far east as Idaho, yet we have never shipped any immature fruit. Pineapples, like apples and pears, attain maturity before ripening, and, when packed at this stage, can be shipped safely and arrive in good condition, twelve to fourteen days after picking, when packed and handled in a careful manner."

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Netley hopes to "do a fraction of what was done for Hawaii by the lamented Wilcox." As Wilcox never did anything, Netley has sized himself about right.

The Home Rulers have nominated a strong ticket. If you don't think so, am I.

THE JAPANESE FLEET.

The impression that the Japanese fleet has been badly weakened rests upon its avoidance of the Vladivostok squadron and upon the reputed fact that junks, with cargoes of food, are frequently entering Port Arthur. There are also Russian reports of Japanese naval losses to consider. Such losses as have been admitted by Tokio are not large in number, though they include the Hatsu, a vessel which represented one-sixth of the naval Japanese line of battle. On the other hand the Russians claim to have inflicted a damage of nearly fifty per cent and there are correspondents who agree with this estimate.

But it is well not to jump at conclusions. Since the loss of the Hatsu by a floating mine, ten miles off shore, orders may well have been sent to Admiral Togo to keep away from the vicinity of Port Arthur until the general assault by land requires his presence there. Again, the knowledge that these mines are about is calculated to keep the Russians in as well as the Japanese out, making it unnecessary for Togo to do blockade work. Still further, the chance that the Baltic fleet will start for the Far East, has perhaps led the Japanese to husband their naval resources with great care. Now

in regard to the Vladivostok incident, the raid of Skrydion's ship was avowedly made for the purpose of drawing Togo from the Yellow Sea, or at least a part of his fleet. It is always well not to do what the enemy wants done, and if it was Togo's judgment to let the Vladivostok squadron alone it has been justified by the fact that the raiders did very small damage.

THE HOME RULERS.

The Home Rule party seems to be in its last gasp. Aside from Kaluokalani, who is losing his grip, the convention was run by the weaklings of the old Wilcox party, and by the evicted boddies of the Republican organization. It was a Kunia, Kuphea, Makau and Charles Notley gathering, one hard to discuss seriously, one which did not seem to have any hope of the future and which, in the nomination, invited the ridicule of its own members.

The late Judge Estes once described Governor Gage of California as "the smallest public man in the State except a notary public." But Charles Notley, the Home Rule nominee for Delegate in Congress, would be dignified by such comparison. It would be wifider him to know what to do to qualify himself for so high an office as notary public.

Considering the reasons why Notley was dismissed from the Hilo Custom House, his nomination yesterday by the convicted Kumalae was peculiarly fitting.

Fortifications will make a good town on a desert. They have made Aden a lively place and turned the rocky island of Malta into a hive of industry and wealth. Ten or twelve forts around Honolulu should call for a garrison large enough to keep the wheels of retail business spinning. No one need regret the loss of customs and postal revenues if Lieut. Slattery's predictions about the Federal defensive program are realized.

(From Sunday's Advertiser)

There was a fine lunar rainbow on Friday night, the ends resting in the town and in the sea.

A. W. Carter demurs to the amended complaint of J. S. Low on the ground of insufficient service.

Acting Governor Atkinson has appointed John Hauian as second district magistrate at Kalauapapa and J. K. Kalame as district magistrate for Hana.

It is reported that Delegate Kubo has suggested that the business men employ George B. McClellan as his secretary at Washington in case he shall return to Congress.

Dr. A. J. Derby leaves next Thursday for Kauai.

James Dodd, a native of Ireland, was naturalized by Judge Dole yesterday.

The Boys' Industrial School at Waialae has a plant installed for operating electric lights and fans in the institution.

Henry Cobb Adams of Kāneohe is meeting with liberal responses from leading business men in canvassing for relief for James Olds, an old resident, who is in distress.

J. W. Mason of Hilo called on Acting Governor Atkinson yesterday and discussed Federal appropriations for that town. Hilo stands especially for a breakwater and a Federal building.

With an engine and dynamo installed at Barber's Point station on this island, the wireless telegraph service is now more efficient than ever before. Messages are exchanged direct between Barber's Point and Puako, Hawaii, a distance of 172 miles.

A. S. Wilcox, the Kauai planter and capitalist, with his wife and family, arrived yesterday morning, and the party registered at the Royal Hawaiian Hotel. They embark in the Ventura next Tuesday for San Francisco, where the Misses Wilcox attend one of the young lady colleges.

(From Sunday's Advertiser)

SALARIES FIXED FOR LAND COURT

When the Legislature, at the special session, rescued the Land Registration Court from premature extinction, it did so by voting a lump sum for its sustenance. Out of the appropriation it was provided that the Governor fix the necessary salaries. Yesterday Acting Governor A. L. C. Atkinson made an executive order fixing the salary of Judge Philip L. Weaver at \$150 a month and that of Registrar William Savidge at \$75 a month.

(From Sunday's Advertiser)

Police Court Notes.

The thirteen Chinese who took part in the exciting battle at Waialae last week all appeared in the Police Court yesterday morning charged with robbery. Their cases were continued until August 8th. Seven other Chinese plead guilty to the charge of gambling and were fined \$3 and costs each. Willie Dixon was assessed \$3 and costs for assault and battery on his wife. Philip Naone, who was arrested in connection with the Japanese ticket swindler, had his case continued until the 8th. Three alleged vagrants had the charges against them nolle prossed and three drunks paid the usual \$3 fine.

(From Sunday's Advertiser)

CHANGE OF WATER often brings diarrhoea. For this reason many experienced travelers carry a bottle of Chamberlain's Colic, Cholera and Diarrhoea Remedy with them to be used in case of an emergency. This preparation has no equal as a cure for bowel complaints. It can not be obtained while on board the cars or steamship, and that is where it is most likely to be needed. Buy a bottle before leaving home. Sold by Benson, Smith & Co., Wholesale Agents.

(From Sunday's Advertiser)

Humors of the Blood Cause many troubles—pimplies, boils and other eruptions, besides loss of appetite, that tired feeling, fits of biliousness, indigestion and headache.

The sooner one gets rid of them the better, and the way to get rid of them and to build up the system that has suffered from them is to take

Hood's Sarsaparilla and Pills

Forming in combination the most effective alternative and tonic medicine, as shown by unequalled, radical and permanent cures of

MRS. KNIGHT TAKES HAND IN PARKER RANCH CASE

Charges Conspiracy by Sam Parker, J. S. and E. Low, F. Wundenberg and Magoon & Lightfoot to Defraud Annie T. K. Parker.

In the suit of J. S. Low as next friend of Annie Parker, granddaughter of Samuel Parker, to have A. W. Carter removed as guardian of Annie T. K. Parker, Mrs. Knight, mother of the minor, has filed a motion, asking that the petition of J. S. Low be dismissed upon the following grounds:

J. S. LOW'S INTERESTS HOSTILE TO MINOR'S.

1. That said J. S. Low has been and is now representing and has personal and property interests which are hostile to and in conflict with the personal and property interests of petitioner's said minor daughter, and which hostile property and personal interests are necessarily involved in these proceedings;

2. That said J. S. Low, in bringing said suit and prosecuting the same, is a mere intermeddler and is not a bona fide next friend of said minor; and is proceeding therein for the purpose of aiding and co-operating with Samuel Parker, Eben P. Low and F. Wundenberg, and J. A. Magoon and Joseph Lightfoot, attorneys for J. S. Low herein, in an attempt on their part to obtain management of the estate of your petitioner's minor daughter in conjunction with the management of the estate of said Samuel Parker, and to secure for the Hamakua Ditch Company, of which said J. S. Low is a stockholder and officer, and of which said Samuel Parker is the chief promoter, for as small a consideration as possible, a right of way over that portion of the land of Paauhau owned exclusively by said minor, and to promote a sale of the fee of said interest of said minor in said land of Paauhau to the Paauhau Plantation Company irrespective of the interests of said minor in the premises;

CONSPIRACY ALLEGED.

3. That said J. S. Low is a party in conspiracy with the said Samuel Parker, Eben Low, Fred Wundenberg, J. A. Magoon and J. Lightfoot, as more particularly hereinafter set forth, to make fraudulent and illegal use of the estate of petitioner's said daughter for their own ends and purposes and to promote such ends by procuring the institution of the proceeding for the removal of A. W. Carter from the guardianship of the estate of said minor, for because he is in fact unfit or should be removed as such guardian, but because he is an obstacle to the accomplishment of their plans and purposes aforesaid, and by securing control, direction and management of such proceedings in their own interests and against the interests of said minor by procuring the appointment of said J. S. Low as pretended next friend of said minor with authority to bring said suit, and by securing J. A. Magoon and J. Lightfoot aforesaid the position of attorney for said minor in said suit.

MOTHER'S NATURAL RIGHTS.

4. That this petitioner, as the mother of her minor daughter, is her natural guardian and protector, and that this petitioner has no interest whatsoever in conflict with or adverse to the interests of her said daughter nor is she averse or shown to have done ought to forfeit her natural right to have the first say as to who shall control the property rights of her daughter, and that in the exercise of such unimpaired right she emphatically protests against the retention of J. S. Low to act herein as next friend of her minor daughter.

And in support of the foregoing grounds, your petitioner avers:

The petition alleges that the minor is 10 years old;

That the minor's father John P. Parker third died when Annie Parker was seven weeks old;

That petitioner was married to F. S. Knight in 1900.

WHO SUPPORTED ANNIE PARKER.

Fifth: That for some time subsequent to the death of her husband, John P. Parker the third, your petitioner was not aware that her said daughter was entitled to any share or interest in the Parker Ranch or to any other property through the said John P. Parker the third; That after the death of her husband petitioner resided with Hanai Parker, widow of John P. Parker, uncle of said Samuel Parker, who was the father of said John P. Parker the third, and that she and her said daughter were supported by her with assistance from petitioner's father, James L. Dowsett, petitioner being allowed by said Hanai Parker the sum of \$15.00 per month as spending money for herself and said daughter for clothing and for necessities outside of board and lodging;

SAM PARKER'S DECEIT.

Sixth: That in 1904 petitioner's attention was called to her daughter's rights in the estate of her father John P. Parker the third by outside parties whereupon petitioner referred the matter to her said father who thereupon made investigations and learned that petitioner's daughter was heir to all of the property devised to the father of said daughter by John P. Parker the second; and in this connection petitioner says that the said Samuel Parker from the date of the death of petitioner's first husband up to the time petitioner was advised that her daughter has large property rights under the will of John P. Parker the second, never

informed petitioner of any such rights, but gave petitioner to understand that neither she nor her said daughter had acquired any property rights through her said first husband.

SAM PARKER OPPOSED GUARDIANSHIP.

Seventh: That petitioner's father was first appointed guardian of Annie Parker; that after his death petitioner was so appointed, and later, upon her request, A. W. Carter was appointed guardian; that said Samuel Parker contested the appointment of petitioner's father, as such guardian, but without success, due to the opposition of your petitioner to the desires and plans of said Samuel Parker in the premises.

SAM PARKER'S LACK OF INTEREST IN ANNIE PARKER.

Tenth: That from the death of petitioner's first husband to date, Samuel Parker has taken no steps himself to foster or care for the interests of your petitioner's said daughter, but that all steps that have been taken in her behalf have been initiated or brought about by petitioner and those acting in the interests of her said daughter and exclusive of said Samuel Parker.

SAM PARKER'S EXTRAVAGANCE AND INCAPACITY.

Eleventh: That petitioner, from her knowledge of said Samuel Parker has always favored the management and control of her daughter's property rights by those unconnected with and independent of said Samuel Parker, for petitioner had personal knowledge of the extravagance of said Samuel Parker and of his inability to manage his own property affairs in a discreet and prudent manner. Furthermore petitioner had heard from time to time of suggestions coming from said Samuel Parker casting doubt upon the title of petitioner's daughter to the estate now enjoyed and possessed by her, and that the foregoing reasons have been sufficient in petitioner's mind to require her to adopt a policy in the interests of her daughter adverse to allowing the said Samuel Parker any control in the management or direction of the affairs of her said daughter, although petitioner has at the same time sought to carry out such policy in a way so as to give as little offense as possible to the said Samuel Parker or his relatives and friends;

FAITH IN CARTER.

Twelfth: That petitioner asked and approved the appointment of A. W. Carter as guardian of her daughter's estate because she believed that the said A. W. Carter could not and would not be controlled, guided or influenced by the said Samuel Parker in the discharge of his duties, and was otherwise a fit and proper person in all respects to receive said appointment and to discharge said trust, which belief your petitioner avers has been fully justified by the results of the work and the conduct of A. W. Carter as such guardian;

SAM PARKER'S SUDDEN MOVE.

Thirteenth: That reasonably satisfactory relations, everything considered, have been maintained between petitioner and said Samuel Parker until recently when said Samuel Parker, without warning and without any prior complaint to petitioner against said guardian, notified said guardian that he had appointed the said Eben P. Low manager of the Parker Ranch, including the shares of petitioner's daughter therein, and that he, the said Samuel Parker, claimed the right to the exclusive possession and management thereof as surviving partner of a partnership alleged to have existed between him, the said Samuel Parker and John P. Parker the second aforesaid, petitioner receiving such information while at Waimea aforesaid and simultaneously with the arrival of said Eben P. Low upon the Ranch with authority to take immediate possession thereof, as the manager, under said Samuel Parker, and within twenty-four hours thereafter petitioner also received notice that the said J. S. Low, brother of said Eben P. Low, had instituted a suit before this Court for the removal of A. W. Carter as guardian of the estate of her said daughter;

NO PREVIOUS CHARGES AGAINST CARTER.

Fourteenth: And this petitioner further says that at no time prior to the institution of said last named suit, or for that matter since, had she received any information whatsoever from the said J. S. Low or from any member of the Parker family that said A. W. Carter had in any way misconducted himself as guardian or otherwise shown himself to be unfit to hold and exercise that trust, nor had said application been prefaced by any suggestion to petitioner by said J. S. Low or any other relation or friend of said Samuel Parker that petitioner was acting against the interests of her daughter in replying to the charges in said guardian:

NO INTIMACY WITH THE LOWS.

Fifteenth: And further continuing your petitioner says that no such intimate or friendly relations existed between J. S. Low and petitioner's first husband as represented by said J. S. Low in his petition for the removal of said guardian and alleges the truth to be that petitioner's first husband thoroughly distrusted said J. S. Low and also his brother, the said E. P. Low, and frequently said to petitioner that he had "no use for either of them,"

and petitioner says that for many years past, extending back to a period antedating petitioner's marriage to her first husband, petitioner's relations with said E. P. Low have been of the most formal nature, and that petitioner shared and still shares the feeling that her first husband entertained towards E. P. Low, and while petitioner has had no unfriendly feeling towards J. S. Low, that relations between her and the said J. S. Low have been very limited, and that the said J. S. Low has no justification whatever for claiming any special interest in or friendship for petitioner's daughter. And in proof of this petitioner states that when she and her daughter arrived in Honolulu recently from San Francisco, after three years absence, for the purpose of making a temporary visit in the Islands, and although petitioner and her daughter were in Honolulu ten days after such arrival before going to Waimea, said J. S. Low neither called upon petitioner or her said daughter, though said J. S. Low was well aware of their arrival as aforesaid. And further petitioner says that during her residence in Honolulu with her daughter for over a year prior to her present visit to the Islands, said J. S. Low, though residing in Honolulu, only called but once upon petitioner or her daughter:

HIND, ROLPH & CO.

Sixteenth: That petitioner is informed and believes and on such information and belief avers that the agency of the Parker Ranch prior to the institution of said suit by said J. S. Low as aforesaid, was promised to Hind, Ralph & Co., a business firm of the City of Honolulu, of which firm, said J. S. Low is manager, if said suit was successful, and said guardian was removed. And that the said J. S. Low terminated successfully, and said guardian was removed. And that the said J. S. Low secured the promise of said agency by lending himself to the efforts of said Samuel Parker to obtain possession of said Ranch as aforesaid and to the efforts of E. P. Low, his brother, to acquire the management thereof; and that one of the motives of said J. S. Low in seeking the appointment of next friend of petitioner's daughter and leave to institute said suit against said A. W. Carter is to promote and advance his own interests as manager of Hind, Ralph & Co., and without regard or consideration for the interests of said minor; and to place himself where he can be of use to said Samuel Parker and his brother in promoting their plans.

COLLUSION WITH FRED WUNDENBERG.

Twenty-first: And your petitioner to illustrate how said J. S. Low, E. P. Low, Fred Wundenberg and Samuel Parker are acting in concert, although the said J. S. Low is supposed to be representing the interests of said minor and the said Samuel Parker, E. P. Low and Fred Wundenberg the interests of said Samuel Parker, further shows upon information and belief that the said J. S. Low in searching through the records in this court in the matter of the guardianship of her daughter for material to use against said guardian was accompanied by the said Fred Wundenberg and assisted in said search by him.

COLLUSION WITH E. P. LOW.

In this connection petitioner further says that the question of the right of way of the said Hamakua Ditch Company over said land of Paauhau and sale of the fee of said Paauhau to the said Paauhau Plantation Company is still open and undecided, and that the said J. S. Low is still aiding the accomplishment of both these propositions in the interests of and on the most reasonable terms practicable for the said Hamakua Ditch Company and the said Paauhau Plantation Company. That his interests lie in decrying and undervaluing the said property of said minor and in taking any other steps that will promote the securing of said right of way over said land from said minor upon terms satisfactory to the Hamakua Ditch Company, in which J. S. Low is an officer and stockholder as aforesaid. And that all said issues are still pending and yet to be decided, and it is against the interests of petitioner's daughter that said J. S. Low should have a voice and control in the affairs of said minor or that he should be permitted to represent her in any way.

COLLUSION BETWEEN THE LOWS.

Twenty-fifth: The petitioner says that the said J. S. Low instituted suit for the removal of the said A. W. Carter simultaneously with the taking of active steps by his brother E. P. Low to acquire immediate control and management of the Parker Ranch and when said A. W. Carter as guardian of said minor was upon said Parker Ranch for the purpose of defending the possession of petitioner's daughter against the said E. P. Low, and that said J. S. Low should have a voice and control in the affairs of said minor or that he should be permitted to represent her in any way.

MORE CONSPIRACY.

Twenty-second: Your petitioner is further informed and believes and upon such information and belief alleges that recently, to wit, during the year 1903 the said Samuel Parker and Fred Wundenberg, as his agent and trustee, and the said E. P. Low sought to obtain the fee simple of the land of Waikoloa then under lease to the Parker Ranch, to the exclusion of said minor and so as to prevent said minor from participating or sharing in the acquisition of said land according to her interests in the Parker Ranch; and upon such information and belief petitioner alleges that the said Samuel Parker and Fred Wundenberg conspired with the said E. P. Low to accomplish that result, and that it was not the plan and purpose to let said minor as co-owner of said Ranch, into an equal share of Waikoloa, if the same had been acquired by him, the said Samuel Parker, or for him, and to that end Samuel Parker was aiding and abetting the acquisition of said land of Waikoloa in the name of said E. P. Low; that when said E. P. Low learned that said A. W. Carter, guardian, had obtained the written pledge of the owners of Waikoloa to convey the same to him, said E. P. Low tried to persuade the owners of said Waikoloa Ranch to back out of such agreement and to repudiate the same, and offered a large sum to said owners in excess of the agreed price if they would convey the same to him rather than to said A. W. Carter for the Parker Ranch; and failing to accomplish this result he used threats to effect the same, but without avail. That when said sale was effected to said Samuel Parker and said minor, he, the said Samuel Parker, borrowed from Eben P. Low the money, that is, \$64,000.00 to pay for his half of the purchase price of said land, giving a mortgage to said E. P. Low for the same upon his interest in said Waikoloa no purchase, which mortgage remains unpaid and undischarged to this day; and since said date the said E. P. Low has loaned an additional sum of \$16,000 to Samuel Parker, which, as petitioner is informed and believes, remains unpaid.

J. S. LOW ASSISTING SAM PARKER.

Twenty-third: That petitioner further shows that the struggle for the possession of said Parker Ranch by E. P. Low and Samuel Parker against A. W. Carter, guardian of petitioner's daughter, is still on and undecided, as is also the contest between said E. P. Low and Samuel Parker on the one part and A. W. Carter, guardian of said Parker Ranch, to the control and management of said Parker Ranch; that said Magoon & Lightfoot are also the regular attorneys for Fred Wundenberg aforesaid, and that said Fred Wundenberg holds the Power of Attorney of said E. P. Low and has acted thereunder. And petitioner charges that said Magoon & Lightfoot while accepting employment from said minor through said J. S. Low at her next friend, are in fact acting as the agents of said Samuel Parker and the said E. P. Low and Fred Wundenberg, and that the control and direction of the said guardianship suit by reason of the premises is now in the hands of those who are hostile to the interests of said minor and ready to sacrifice the same wherever they come in conflict with their own interests as above set forth.

THE PUULOA RANCH AFFAIR.

Twenty-seventh: Petitioner further shows in this connection that the attorneys selected by said J. S. Low to secure for him the authorization from this Court to act as next friend for petitioner's daughter and to prosecute said suit for the removal of said A. W. Carter, as guardian, to wit, said J. A. Magoon and Joseph Lightfoot, were also the attorneys for said Samuel Parker and said E. P. Low in the recent attempt on the part of Samuel Parker and E. P. Low to take immediate possession and management of said Parker Ranch to the exclusion of said minor, and that said Joseph Lightfoot accompanied said E.

LOW A CREDITOR OF SAM PARKER.

Twenty-third: And your petitioner charges and says that by the loan of money to said Samuel Parker that said E. P. Low has acquired a hold upon Samuel Parker which has never been relaxed and that from the time said loan was made said E. P. Low and Samuel Parker have concerted and planned together to secure exclusive control of said Ranch under the management of said E. P. Low; and petitioner charges that one of the chief considerations for the loan, or said money to said Samuel Parker by said E. P. Low, was the consent and acquiescence of said Samuel Parker to such plan, and that the bringing of the suit for the removal of A. W. Carter as guardian of said minor any such contention on the part of said Samuel Parker:

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A GREAT SHOWING FOR ANTI-MOSQUITO CRUSADE

Another Year's Work Would Make the Stinging Insect a RARA AVIS—Interesting Addresses at Young Hotel Public Meeting.

That Honolulu can be rid of the mosquito pest by diligent co-operation on the part of citizens with the agents of the Board of Health was clearly shown at the annual meeting of the Citizens' Mosquito Committee held in the makai ballroom of the Alexander Young Hotel. The report of the committee's agent, Mr. A. D. Larnach, who has been at the head of the active war of extermination waged against the pest during the past year, was optimistic enough to arouse the most doubting Thomas to action. The opening address of President Pinkham of the Board of Health, the addresses on mosquitoes and their menace to humanity by Dr. C. B. Cooper, former president of the Board of Health, and by Dr. F. R. Day, and the lantern slide exhibition by D. L. Van Dine, entomologist of the Federal Experiment Station in this city, and the remarks of Federal Judge S. B. Dole, were all enthusiastic in upholding the extermination idea.

Owing to the sudden downpour of rain about 7 o'clock last evening the attendance at the meeting was not as large as anticipated but those there made up enthusiasm what they lacked in numbers.

Throughout the meeting there was a feeling that an appeal was being made to the citizens of Honolulu to continue their efforts to assist the Board of Health and Mosquito Committee agents to rid the town of the pest. The past year's extraordinary success under the able management of A. D. Larnach was made apparent in all that the medical men had to say on the subject. Mr. Larnach himself believed that within another year a most appreciable difference in the number of mosquitoes even now present would be noticeable, judging by the past year's work. Following are the addresses:

PRESIDENT PINKHAM PRAISES.

The meeting was opened by President L. E. Pinkham of the Board of Health, who made the following remarks:

It is a privilege to preside at a gathering of citizens who are voluntarily interested in work for public improvement.

It is the every day petty annoyance that wears, and if there was ever an annoyance that not only destroyed good nature, wore on patience and deprived one of the mental equilibrium necessary to the peaceful pursuit of knowledge and happiness, it is the operations of the mosquito and its untamed blood-thirsty disposition.

The past year has given some hope of deliverance. It is generally conceded that the mosquito nuisance has abated very materially. Certainly the freedom from these pests has been very marked in some localities.

This campaign tends greatly toward the preservation of public health. All authorities agree that the pernicious activity of the mosquito is a means of widely spreading certain diseases.

In order to be fully informed as to those localities where the annoyance is specially prevalent, the Board of Health has caused to be inserted in each paper a notice requesting information be sent. If the citizens will kindly comply with our request they will increase greatly the efficiency and amount of work your agents can accomplish.

The success of this campaign will serve as an example of what combined action can produce at little cost in the way of city improvement.

While any reference to the wonderful climate of the Hawaiian Islands is trite and rather tiresome, it is nevertheless, a most potent fact, and when we leave this home for a time, the realization comes back, and the longing for the charm of the beautiful out-door life nowhere else equalled or possible.

The one marring circumstance that detracts from the ideal of comfort and restfulness, your Citizens' Mosquito Campaign has undertaken to practically remove.

It is worth the money it has cost, and which it may cost.

It is sincerely hoped the year on which we have entered will find your support as equal to the past year.

We are busy, based on our own information, but we will get busy up to the limit if you will point out the spots needing attention.

DR. COOPER'S ADDRESS

Dr. Cooper made an excellent address on the mosquito question, speaking to the subject. The Board of Health's attitude in the organization of the Citizens' Mosquito Campaign in Honolulu.

The mosquito problem in this Territory has been a much mooted question for many years. There have been discussions on this subject by the various Boards of Health and papers have been read and discussed by the Territorial Medical Society, resulting always in good resolutions but there the matter ended. About a year ago interest was revived and the subject actively agitated by a number of the progressive business and scientific men in our community, resulting in the organization of the Citizens' Mosquito Committee. As the presiding officer of the Territorial Board of Health I was approached by the committee with a view of a permanent organization being formed to be operated to a certain extent under the auspices of the Board of Health. A meeting was called on August 19th 1902 for the discussion of permanent organization and those present were Dr. L. E. Cofer, Chief Quarantine Officer Public Health and C. S. M. H. Service, W. E. Rowell, Acting Assistant Superintendent of Public Works; C. H. Tracy, City Sanitary Officer; Sam'l Johnson, Superintendent Garbage Department; D. L. Van Dine, U. S. Experimental Station; F. W. Macfarlane, Chamber of Commerce, and Messrs. P. M. Pond and P. R. Helm, Research Club; Dr. C. B. Cooper, President Board of Health.

The president H. B. Clafin Co., N. Y. City; Leland O. Howard, Ph. D., Wash., D. C. (one of the most prominent entomologists in the United States); Dr. Ernest J. Lederle, president Department of Health of New York; John B. Smith, State Entomologist of New Jersey, and there are many others of equal fame deserving of mention. At the annual conference of State and Territorial health officials, recently held at Washington, D. C., and at which it was my privilege to be present, the mosquito problem received attention. Probably no place has shown more remarkable results in fighting this plague than Havana. Assistant Surgeon General Gorgas, U. S. A., makes the statement that in the year after the discovery by the Army Medical Board that the mosquito was the means of spreading yellow fever, that a hundred thousand dollars, outside of sanitary work, was spent on mosquito extermination. For the year 1900, the year preceding the beginning of the mosquito work in Havana, 225 deaths were reported from malaria and in 1902 only thirty-nine deaths from malarial fever.

"This is a very fair measure of the amount of general mosquito work done and the results obtained from this class of work, because, from the nature of the disease, the malarial patient could not be isolated and followed up, as was the yellow fever case, and therefore no special work could be done toward destroying the malarial infected mosquito." The consolidated report of January, 1901, just before the mosquito work commenced, showed 26,000 water deposits containing mosquito larvae within the city limits. The same consolidated report for the following January showed less than 300 for the same area.

President Billings of the American Medical Association, in his introduction of the Reed Memorial Fund, spoke in part as follows: "Major Reed died a year and a half ago. To the medical world no word is necessary to say of Reed to know who he was. The lay public does not know him, and I am afraid the medical public do not now appreciate all he did. Had Reed, as a Major in the Army, performed an act of conspicuous bravery of equal magnitude his name would never die."

Dr. Wm. H. Welch, of Baltimore, also made some eulogistic remarks in regard to the discovery of the committee (of which Major Reed was a member), that the mosquito carried yellow fever: "His service to mankind is to be paralleled only in two or three instances and Walter Reed was a man of unusual character; a man who was scientifically trained to undertake the work which he did. The work which he performed is peculiarly American. He was trained entirely in this country to undertake this work and he undertook it with a complete and adequate training for the purpose. The work was undertaken under the auspices of our National Government at a time when we were in military control of the island of Cuba." Dr. Welch further said: "I think we can put it second to the discovery of the control of smallpox by vaccination. It means nothing less than the control of that most dreaded scourge—yellow fever. It is a discovery which rests on a scientific foundation, which has been put to a practical test, and that test has resulted in a complete extermination of yellow fever from the island of Cuba."

There was about \$8000 subscribed at the Atlantic City meeting towards a memorial fund for the erection of a monument to the memory of Major Walter Reed, U. S. A. In connection with this example of heroism it is not amiss to mention the name of Dr. Jesse Lazear who was a member of this commission and who lost his life by being inoculated with the disease and succumbing to its fatal influence.

Henry Clay Weeks, on the subject of "Mosquito Engineering," hits the nail fairly on the head. "A preferable term is economic engineering, which would cover all the ideas involved in extermination—such as drainage of saturated areas, large or small, salt or fresh, and their utilization for agricultural or residence purpose; the improvement of the living conditions of those adjacent to such places, generally the poorer and more helpless class; the increase in the tone of life of a community by its ridance from malaria, the stoppage of the yellow fever plague with all its consequences; the scenic attractiveness which comes of the abolition of foul wet places which are generally used as dumping grounds of the wastes of a community; the reflex and direct effect of humanity to animals; the increase of comfortable out-door living and other results. All this is closely allied to health not only in the meaning from malaria and other diseases, but in a general way in the lessening of the irritations of life on which health so greatly depends. So that the sphere of mosquito engineering or better economic engineering, is very broad. It becomes a powerful aid to bettering the conditions of life, health and the pursuit of happiness. Much of the engineering in the past has been for and not against the mosquito. This is true in every line of work of the engineer. It is seen in road building, in railroad construction, in house construction and even in landscape gardening—anywhere where there is a chance to form a breeding place or to prevent one in the disposition of the surface of the soil. There is an adapted sense in which the term mosquito engineering can be used, and that is the engineering of conditions so that others possibly all, will aid in the betterment—the enlistment of co-operation—the proving to the people by words and acts that extermination is possible and is advantageous in every way. In that way as much can be done towards the success of the movement as can be done by the outlay of hundreds of dollars in physical work. To a degree then, we may all be mosquito engineers, preventing breeding places, destroying those that do exist and enlisting the interest of every one to aid in bettering the conditions of life."

In summing up would suggest that we become allied with the National Society for extermination of the mosquito. Also that it is the general consensus of opinion (1st) That more effective work can be done under authorized boards of health and when their powers are limited special legislation should be enacted (2nd) That aid should be given by the State. Territorial or Fed-

eral Government where the required expenditures are in excess of the abilities of the local communities to stand. Congress should enact special legislation upon the subject, conferring power upon the Public Health, Agricultural or War Departments, under certain restrictions, to aid such communities in intelligently and effectively carrying out comprehensive plans for the extermination of the mosquito.

DR. DAY'S VIEWS.

The views of Dr. F. R. Day, on the history of mosquitoes with relation to medical science, were expressed as follows:

It is well for us to pause occasionally in our busy lives and by looking backward get a more comprehensive idea of the progress that is being made in human affairs. It gives us a better appreciation what is actually being done—a perspective view as it were. If we do this in relation to the subject under discussion this evening we will not have to go back very far before coming to a time when the mosquito was considered merely a nuisance—a pest to be suppressed for comfort's sake. We did not like to have our evenings disturbed by its nerve irritating song or our skins pierced by its bill, now, thanks to the careful investigations of painstaking scientists we know that she is more than a nuisance and a disturber of the peace. She is a menace to health and a danger to life. I use the pronoun "she" advisedly because the female is the voracious member of the mosquito family. In those days, we looked upon malaria, as a miasmatic disease. Experience taught that it was prevalent in swampy regions where humid vapors arose after sundown and he who went out at night was in danger of inhaling the miasm of malaria. But in 1884 Mr. Laveran, a French Physician, stationed in Algeria, discovered an organism in the blood of malarial patients which he called the plasmodium malariae. It is unnecessary to relate the laborious researches that followed the announcement of this discovery but which have established beyond cavil that this protozoa is the actual cause of malaria until "no plasmodium, no malaria" is now a medical axiom. Then came the question how the plasmodium gained an entrance into the human body and this was solved in time just as positively by the brainy men who were devoting their energies to the problem. It was found that the anopholes mosquito was the parasite's carrier. The protozoa was traced with the most minute precision through the body of this mosquito from one human host to another. The proof was so convincing that no one could doubt it. Fortunately for us Mr. Van Dine has not discovered this species in these islands which accounts for the fact that we do not see the usual types of malaria here.

But there is another disease more formidable than malaria which has been proven to be spread by another mosquito. I refer to yellow fever. The stegomyia fasciata is the propagator of this disease and our ordinary day mosquito, the one who wears the striped trousers is the culprit.

The brilliant investigations of the Medical Commission of the U. S. Army in Havana in 1900-1901 based upon a theory advanced by Dr. Carlos Finlay in 1881 proved conclusively that yellow fever was spread by the stegomyia fasciata and a campaign of extermination of this disease and our ordinary day mosquito, the one who wears the striped trousers is the culprit.

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Prof. Harris Graham of Beyreut, Syria conducted similar experiments with the dengue in 1901 and determined that it was spread by means of the culex, the common night mosquito. By protecting dengue fever patients from mosquitoes he was able to prevent the spread of the disease amongst other associates of the patients.

This was negative evidence. The positive evidence consisted in taking culex mosquitoes that had fed upon dengue patients to upload villages that had never known the disease allowing them to bite healthy subjects who had not been otherwise exposed and developing the disease in these persons at the end of five or six days.

Elephantiasis, a disease that does not vitally concern us here, is caused by a small parasite in lymph channels—the filaria hominis, and this organism has been traced in mosquitoes by Dr. Patrick Manson, an English physician, who has done much toward solving many of the problems connected with malaria and other tropical and sub-tropical diseases.

As far as possible for some time considerable work has been done on permanent improvements such as filling, draining, or ditching, so that should such another wet spell come, as we had during the early part of this year, there will not be as many places to hold the water. In one instance here in town, one owner at the suggestion of your agent obtained nearly 100 loads of black sand to fill in a low-lying spot. Dozens of instances where the amount of filling required varied from a few wheelbarrow loads, to a dray load, have been run across, and in every instance one more breeding place has been permanently done away with.

This campaign which was started not for the purpose of killing every mosquito on the Islands, more as an experiment, and with the idea of doing away with as many of the pests as possible, has shown us clearly what can be done, and it is sincerely hoped that the mosquito movement will remain a permanent organization, as a few months of neglect or indifference, would cause things to drift along to the conditions encountered at the start.

Below you will find the financial report which shows what funds have been received and how spent. The most rigid economy has been practiced, and for the amount of money expended an enormous amount of work has been accomplished. All our subscriptions are small, the total being less than \$200 per month. It is hoped that in the new year of our work, many new subscribers will come forward and help along a work that not only benefits themselves, but the whole community.

Respectfully submitted,

ALEX D. LARNACH.

Entomologist Van Dine who has an exhaustive and therefore valuable study of the mosquitoes—the and

water in which to breed!

Recognizing this fact many communities throughout the United States have gained relief, and demonstrated beyond doubt the feasibility of ridding any mosquito infested locality of the nuisance.

The results of work of this character prove conclusively that for any community or country to submit to the presence of mosquitoes, in so great numbers, as has formerly occurred throughout this Territory, is a great mistake.

Something over a year ago, through the efforts of public-spirited citizens an organization was talked of whose object would be to take some definite, vigorous action in ridding this particular community of mosquitoes. This idea was heartily endorsed by the local Board of Health, and arrangements were soon made to have whatever work was instituted carried on under their direction. A committee whose chairman was president of the Board of Health, was at once formed, and plans made for a systematic campaign, the details of which have already been presented to the general public through the press, and various reports of your agent.

It is well for us to pause occasionally in our busy lives and by looking backward get a more comprehensive idea of the progress that is being made in human affairs. It gives us a better appreciation what is actually being done—a perspective view as it were. If we do this in relation to the subject under discussion this evening we will not have to go back very far before coming to a time when the mosquito was considered merely a nuisance—a pest to be suppressed for comfort's sake. We did not like to have our evenings disturbed by its nerve irritating song or our skins pierced by its bill, now, thanks to the careful investigations of painstaking scientists we know that she is more than a nuisance and a disturber of the peace. She is a menace to health and a danger to life. I use the pronoun "she" advisedly because the female is the voracious member of the mosquito family. In those days, we looked upon malaria, as a miasmatic disease. Experience taught that it was prevalent in swampy regions where humid vapors arose after sundown and he who went out at night was in danger of inhaling the miasm of malaria. But in 1884 Mr. Laveran, a French Physician, stationed in Algeria, discovered an organism in the blood of malarial patients which he called the plasmodium malariae. It is unnecessary to relate the laborious researches that followed the announcement of this discovery but which have established beyond cavil that this protozoa is the actual cause of malaria until "no plasmodium, no malaria" is now a medical axiom. Then came the question how the plasmodium gained an entrance into the human body and this was solved in time just as positively by the brainy men who were devoting their energies to the problem. It was found that the anopholes mosquito was the parasite's carrier. The protozoa was traced with the most minute precision through the body of this mosquito from one human host to another. The proof was so convincing that no one could doubt it. Fortunately for us Mr. Van Dine has not discovered this species in these islands which accounts for the fact that we do not see the usual types of malaria here.

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This was negative evidence. The positive evidence consisted in taking culex mosquitoes that had fed upon dengue patients to upload villages that had never known the disease allowing them to bite healthy subjects who had not been otherwise exposed and developing the disease in these persons at the end of five or six days.

With regard to the co-operation of the different departments, with the Board of Health to assist this movement, while all have assisted to the fullest extent, the Department of Public Works must be specially mentioned. Every appeal for assistance has been granted, from the loan of a gang of prison laborers to ditch, clean, or drain a team of mules or wagon to gather the cans, to the loan of a shovel or rake. All of these and many other favors have been asked for and granted readily. With such assistance from the different departments, the work is made much easier and more effective.

The public have been encouraged to report places where mosquitoes were unusually thick, and in no case where such complaint has been made, followed up, and the instructions of the examining inspector followed out, have the results been getting people to do not use the regular garbage service, to bury the objectionable containers. This with the usual warning against standing water, an appeal to regularly oil cesspools, etc., and a thorough distribution of circulars giving instructions as to mosquito control.

These impressions have probably been gathered from the fact that mosquitoes seek shelter in all of the above mentioned places.

With the assistance of the regular force of sanitary inspectors, a systematic search for and collection of tin cans, pots, pans, bottles and all containers likely to hold water, was made and this debris carted to a scow and dumped far out at sea. To demonstrate the good we claimed would result from such cleaning up, and to interest the citizens in the campaign, this work was done without any expense whatever to the house-holder, and carried on for some months, several hundred tons of such rubbish being disposed of, after which time, the inspectors have been getting people, that do not use the regular garbage service, to bury the objectionable containers. This with the usual warning against standing water, an appeal to regularly oil cesspools, etc., and a thorough distribution of circulars giving instructions as to mosquito control.

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The lesson we have to learn from all this is that the mosquito is a dangerous insect to have about and that it is possible by persistent and concerted effort to exterminate it as has been done in many localities besides Hawaii.

There are very few of the general public, that do not recognize the good accomplished, and the difference in the mosquito nuisance noticed in and around Honolulu, since the work started. A very conservative estimate is that there are at least fifty per cent less than usual. With the experience gained in this year's work it is the opinion of your agent that next season a still better showing will be made.

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Respectfully submitted,

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Entomologist Van Dine who has an exhaustive and therefore valuable study of the mosquitoes—the and

gave an excellent lantern slide exhibition, showing in enlarged forms the various types of mosquitoes, and illustrated his remarks by slides representing various sections of Honolulu which have been known breeders of mosquitoes. Pictures of ponds at Waikiki showing brackish water were exhibited, as well as ponds at Waikiki, taro patches, low-lying places in the Ewa end of the city, standing fresh water, rice-fields, the Nuuanu stream with some stagnant stretches, places which have needed filling in, and places remedied, typical breeding places in cans, tubs, pools, etc.

Judge Dole thought a vigorous campaign against mosquitoes to be vital to society. If the mosquitoes could be diminished he was of the opinion that disease would be eased off and it would even tend to diminish poverty and pauperism. The lessening of disease would naturally have the tendency to prevent much pauperism. The result of the work had been so satisfactory in Honolulu that citizens generally should take hold and do more in the future.

Mr. Larnach's financial report showed about \$1400 collected towards the campaign, with \$1200 in expenditures, leaving about \$200 in the bank.

The active directors of the Citizens' Mosquito Committee are: L. E. Pinkham, president Board of Health; C. B. Cooper, M.D., J. S. B. Pratt, M.D., F. R. Day, M.D., L. E. Cofer, M.D., D. L. Van Dine, P. M. Pond, W. A. Bryan, C. H. Tracy, Clarence H. Cooke, R. C. L. Perkins, Associate members—Geo. W. Smith, president Merchants

Toy, Miss Jennie Vail, Miss R. Weston. For attorney, W. G. Hall, July 31, from Kauai ports—G. N. Wilcox, A. S. Wilcox and wife, Sam Mahelona, Miss E. Wilcox, Miss K. Wilcox, Allen Mahelona, Miss J. Quinn, Miss L. Iokia, Joe Palko, Miss H. Dienert, E. K. Bull, J. Manlecke, Miss J. E. Snow, Mrs. G. Winchester, Mrs. J. W. Neal, S. Lesser, H. M. Gittle, J. B. Hanalei, wife and three children, Miss A. Dickie and 31 deck.

For attorney, Claudine, July 31, from Maui ports—Miss McGowen, Miss C. Mosser, W. G. Scott, wife and son, Mrs. Harbottle, Mrs. E. K. Mills, S. E. Kellin, Geo. A. Baldwin, Geo. Mayfield, C. D. Lufkin, A. W. Dunn, C. L. Kookoo and child, J. K. Kahoolele, Chas. A. Kanahola, Miss Mattox, Emma Kiba, Miss M. Fernandes, Miss M. Jardin, Miss R. Jardin, S. E. Kauie, M. G. Anjo, Geo. S. Reed, R. L. Halsey, Chas. Gay, Lieut. F. Klein, H. Focke, Sing Hop, Kong Hop, Long, Mrs. Teitler and child, Mrs. Mulvany.

DUE TODAY.

O. S. S. Ventura, Hayward, from the Colonies, a. m.

SAIL TODAY.

O. S. S. Ventura, Hayward, for San Francisco, a. m.

Stmr. Kinau, Freeman, for Hilo and way ports, 12 m.

Stmr. Claudine, Parker, for Maui ports, 5 p. m.

Stmr. Mauna Loa, Simerson, for Kona and Kauai ports, 12 m.

Stmr. W. G. Hall, S. Thompson, for Kauai ports, 5 p. m.

Stmr. Nihau, W. Thompson, for Waimea, 5 p. m.

Stmr. Likelike, Napapa, for Maui and Molokai ports, 5 p. m.

Bktn. S. N. Castle, Nilson, probably sail for San Francisco today.

DUE TOMORROW.

O. S. S. Sonoma, Herriman, from San Francisco, a. m.

Stmr. Mikahala, Gregory, from Maikawell, a. m.

SAIL TOMORROW.

O. S. S. Sonoma, Herriman, for the Colonies, a. m.

Stmr. Kauai, Brubin, for Maui ports, 5 p. m.

Shr. Roy, for Pualoa, 8 a. m.

Schr. Kawailani, Ulunahale, for Koo-
lau ports, 4 p. m.

Stmr. Lady, for Koolau ports, 2 p. m.

PASSENGERS.

Booked to Depart.

Per S. S. Ventura, Aug. 2, for San Francisco—Miss Anna Dickey, Hon. A. S. Wilcox and wife, Miss Ethel Wilcox, Miss K. Wilcox, Master Allen Mahelona, A. M. McKeever, Mrs. A. C. McKeever, Mrs. W. C. Aldrich and two daughters, Master W. L. Ross, Mr. Moffett, J. M. Smith, W. A. Bissell, Mrs. Bissell, Miss Leal, Master Bissell, Miss G. Mason, Miss M. Mason, Miss Newman, Miss Mary Shulman and two sisters, Miss G. Renton, Miss C. Renton, Miss N. Meek, Miss W. Beal, F. R. Werthmiller, Mrs. W. M. Langton, Miss Alice R. Thompson, Mrs. W. C. Peacock, Miss Peacock, W. R. Hoare, Miss Hoare, John H. Mearns, L. H. Thompson, Geo. C. Beckley, Jr., Jas. Parker, Miss A. Boyer, Bruce Kennedy, Geo. H. Baldwin, Sheldon Deacon, Miss Siankard, Jeanette Rice, Misses Thorne, Jos. Marawetz, J. Fairlie, Miss Fairlie, Miss W. P. Andrews, Mrs. Geo. E. Bennett, Mrs. R. W. Andrews and three children, Mr. and Mrs. C. C. von Hamm, Miss Helen Henry, A. M. Black, A. Windt and wife, J. F. Heartwell, J. B. Hartwell, W. W. Askley, Mr. and Mrs. W. H. Smith, C. Du Ro, A. N. Campbell, Mr. and Mrs. J. W. Neal, A. W. Van Arnsdall, Jas. H. Love, Capt. Bucklin, J. K. Burkett and wife, T. S. Hall, Mrs. Andrews, Joseph Kalama, Miss J. Foreman, J. P. Erdman, Mrs. Allen, Mrs. Pratt, Chas. Bailey, J. Grubbe, Mrs. J. Grubbe, Miss A. J. Grubbe, Master G. Collins, J. Marnioke, Jas. Morawetz, H. Crane, George T. Brann, Mrs. E. Dox, Mrs. McCurkin, Miss E. R. Piroke, Chas. Young, Geo. Lee, John West, Chris Christiansen, Miss Lewis, Mrs. Ely, Mrs. Rinehart, Mrs. Mary E. Dodd, Geo. Reid, Mrs. Schmidt and three children, F. R. Werthmiller, Thos. Jenkins, J. G. Gurin, Chas. R. Stokes, A. G. Deering, Miss Miller, R. A. Courtin.

LONGEST PASSAGE WAS FORTY-SIX DAYS

The longest passage ever made between Honolulu and San Francisco was no doubt that of the American bark *Elsinore*. Capt. G. W. Jenkins, in 1882. The length was forty-six days.

The vessel was partly owned by J. C. Merrill & Co. of San Francisco and consigned to them. When the *Elsinore* had forty-five days' passage, the insurance companies proposed to pay fifty per cent of the insured amount which Mr. Merrill was on the point of accepting the following morning, when the bark was telegraphed ashore off the Golden Gate and the offer of the insurance companies was thus disposed of.

Drifted to Sea.

A small sail boat belonging to Mr. Scott of the Honolulu Iron Works went to sea off Waikiki beach yesterday afternoon. It was manned by a crew of unexperienced mariners who took a sudden fright at the thought of their actually being a few yards from shore and leaped into the raging billows of the Waikiki surf and deserted the ship. The frail craft then sailed across the reef and then out to sea. Once in the channel the wind was too much for her and she capized. Young Brothers were notified and made an attempt to locate the boat but without success.

ATTACKS OF COLIC, cholera, mumps, pains in the stomach, dysentery and diarrhea come on suddenly and so often prove fatal before a physician can be summoned, that a reliable remedy should always be kept at hand. Chamberlain's Colic, Cholera and Diarrhoea Remedy has no equal as a cure for these ailments. It never fails to give prompt relief even in the most severe cases. It is pleasant to take and every household should have a bottle at hand. Get it today. It may save a life. For sale by Benson, Smith & Co., Wholesale Agents.

APPEAL OF B. H. WEIGHT

Comes Up Today In The Supreme Court.

The Supreme Court sits today. It will hear the exceptions of B. H. Wright to verdict finding him guilty of embezzlement. The appeal of defendants in the foreclosure suit of H. E. Cooper vs. Island Realty Co. and J. A. Gilman is also set for today.

MURDERED MAN'S ESTATE.

Jennie L. T. Chin petitions that Rev. H. B. Restarick be appointed guardian of Fook Len Lam Chin, Charles Yim Lam Chin, and Paul Kim Seong Lam Chin, she being the step-mother of the first two and the mother of the last named. Their father was the late Lam Tshung Chin, who left real property at \$3860, and personal at \$300. The widow also petitions for the appointment of Bishop Restarick as administrator of the estate. Lam Tshung Chin was the insurance clerk for murdering whom a Chinese fellow-countryman is awaiting trial.

ATTORNEY STRAUSS RELEASED.

Leon Strauss, attorney, was released from prosecution for embezzlement by Attorney General Andrews yesterday. The charge was that he had received \$22.50 from August Johansen to bring a divorce suit, but neither did the woman return the money. Strauss having paid the amount into court, the Attorney General entered a nolle prosequi.

COURT NOTES.

Judge Gear approved the accounts of Cecil Brown, executor of the estate of J. H. Harrison, ordering him discharged upon filing receipt of devise for \$377.13 and for the personal property of the estate. The estate consists of interests in vessels of Allen & Robinson's fleet.

Chick Cheong has withdrawn his appeal from conviction of selling liquor without license at Waimea.

THE WILCOX SALE PANS OUT WELL

Jas. F. Morgan's auction room was packed with people, including many wealthy and otherwise prominent citizens at noon yesterday on the occasion of the executor's sale of property of the late Judge W. Luther Wilcox. W. O. Smith, executor, stayed by Mr. Morgan giving information throughout the proceedings. The prices realized were very good considering the changed conditions of the real estate market from a few years ago.

George N. and A. S. Wilcox of Kauai, brothers of the deceased, bought the Waikiki beach residence for \$5000, an adjoining lot for \$6500; the Queen street warehouse site for \$4200, the Kalihi house and lot for \$1550 and the interest in the late Abner Wilcox's estate for \$300.

The Kalihi pol factory was purchased for \$11,522 by E. Waterhouse and wife. S. M. Balou bought the Tantalus lot for \$2600.

Mrs. Nakuina was the purchaser of land at Pukoa, Molokai, for \$325, and Mr. Devaiche another Molokai parcel for \$710.

The Hawaiian Land and Improvement Co. bought two lots at Pearl City for \$310, and Mrs. Mary E. Foster the interest in a hui at Kahana for \$725. The aggregate realization was \$38542.

TENDERS FOR ROAD ON ISLAND OF MAUI

Bids were opened as follows at the Department of Public Works yesterday for constructing the road from Keanae to Kalua, Maui:

Wilson & Duggan—Sec. 1, \$3894, time, 120 days; sec. 2, \$10,674, time, 150 days; sec. 3, \$13,574, time, 150 days; total for three sections, \$33,242.

L. M. Whitehouse—Sec. 1, \$14,254, time, 150 days; sec. 2, \$15,585, time, 180 days; sec. 3, \$13,533 time, 200 days; total for three sections, \$43,416.

John Correa Picancio—Sec. 1, \$10,774, time, 180 days; sec. 2, \$18,274, time, 170 days; sec. 3, \$13,774, time, 150 days; total for three sections, \$42,822.

A. A. Wilson—Sec. 2 only, \$17,400, time, 180 days.

The work comprises the constructing of road, culverts, bridges and abutments.

Rice Land Outlook Bad.

Henry Cobb Adams expresses the opinion that within two years rice lands will fall 50 per cent in rentals commanded.

"The Chinese are 'busted,' they cannot get labor," is the laconic explanation.

"Should the rice industry go under," Mr. Adams says, "several people who are holding large leaseholds will find great difficulty in paying rents."

Mrs. Wicks' Funeral.

The funeral of the late Mrs. J. H. Wicks was well attended on Sunday afternoon. Services were conducted by Rev. W. F. Felt, pastor of the German Lutheran church, who delivered an address in which feeling reference was made to the amiable qualities and useful life of the venerable mother departed. The pall-bearers were F. A. Schaefer, Flirt Klamp, Wm. P. P. Schaefer, Wm. Wolters, H. P. P. Schaefer and J. J. Lecker.

READY FOR THE FALL

Japs Have Prepared The Program For Port Arthur Event.

Hector Fuller, the war correspondent who passed through Honolulu yesterday in the Doric, after having entered the Russian stronghold of Port Arthur, says that the Japanese are so cocksure of the fall of Port Arthur, that they have already arranged their celebration program. Funds have been raised at Kobe and elsewhere for the purpose of properly celebrating the great event, and if any funds are left over they are to be applied to some future great victory. All that remains to be added to the program is the date of the capture of the fortress.

The program is as follows:

1.—On the receipt of an official report of the fall of Port Arthur or the occupation of Liayang, fireworks will be sent up from Suwayama, Anyoifyama, and Egeyama at a convenient time.

2.—When the signal specified in the preceding clause is made, the inhabitants of the city shall simultaneously go out of doors and cry "Banzai." In the case of a business company or factory, where a large number of hands are employed and all cannot draw up in line in front of the office or factory, the staff of each shall assemble at a convenient place.

3.—The proceedings above referred to shall be previously arranged with the representatives of each street.

4.—The promoters and representatives of each street shall assemble in the compound of the Nankoo-Temple and worship their Majesties the Emperor and Empress, and shall be given sacred sake. Tickets will be previously issued to those who are entitled to admission into the temple ground.

5.—Celebration arches will be erected at three or four places in the city.

6.—Fireworks will be sent up at several places in the city.

7.—Arrangements will be made with each house in the city to display a lantern on the great day.

8.—Arrangements will be made with each Shinto Shrine to give a performance of the Kegura on that day.

9.—Arrangements will be made with the vessels in the harbor to dress ship.

10.—Congratulatory telegrams will be addressed to the Imperial Headquarters, and to the Army and Navy.

11.—The people of each street and various public bodies will hold lantern processions and other performances at their discretion. As it is necessary to notify the celebrations in the city to the public, the programme and the place of performance will be previously communicated to the committee of celebration.

12.—The programme will be advertised in the newspapers.

13.—The cost of the celebration is estimated at \$1,000, each promoter contributing not less than \$1. Subscriptions from the promoters and the public will be accepted.

14.—The surplus of such fund, if any, will form the nucleus of a fund for the celebration of the next victory.

VESSELS IN PORT.

ARMY AND NAVY.

U. S. S. Iroquois, Niblack, (station vessel.)

MERCHANT VESSELS.

Charmier, Am. sp. Slater, Newcastle, July 15.

Coronado, Am. bk. Potter, from San Francisco, July 15.

Fort George, American sp. Gove, Newcastle, Aug. 1.

Gerard C. Tobey, Am. bk. Scott, from San Francisco, July 18.

Great Admiral, Am. sp. Watta, Newcastle, July 2.

Lothair, Italian bk. Schiavino, from Hongkong for Callao, Aug. 1, (anchored off port.)

Robert Adamson, Br. stmr., Seville, Moi, July 2.

S. N. Castle, Am. bktm. Nelson, San Francisco, July 15.

Tillie E. Starbuck, Am. sp. Winn, New York, July 23.

W. H. Dimond, Am. bktm. Hanson, San Francisco, July 28.

Seven Chinese were arrested last night charged with gambling. They were caught in a wash house in Chinatown. One man was locked up for having a revolver in his possession.

HOME RULERS.

(Continued from page 1.)

In conformity in connection with the above we pledge our candidates to enact laws as follows:

(a) To pass an act exempting personal and real property from taxation up to \$2000 valuation for a period of seven years.

(b) To pass an Act appropriating money for the establishment of a fund to assist small farmers and home-owners, to improve their holdings, erect and carry co-operative settlement stores or exchanges, etc.

(c) To pass an Act providing for the purchase and free distribution of taro, pineapple, tobacco, rubber and other plants and seeds to farmers.

(d) To pass an Act providing a fund with which to subsidize and encourage competing lines of local and Pacific Coast steamship companies, whose agents agreed to make favorable freight rates and make suitable provision for the shipment of local farm produce, providing existing steamship companies cannot be induced to immediately make such favorable rates and provisions.

This is the age of research and experiment, when all nature, so to speak, is ransacked by science for the comforts and happiness of man. Science has indeed made giant strides in the last century, and among the most important discoveries in medicine one of the most remarkable is that of ether. One of the most genuine and reliable patent medicines ever introduced, and one we understand, been used in the Central Hospital by Ricardo Rodon, J. T. M. M. President, Mills College, P. O. Mills, President, Mills College, California.

halelelo, chairman; S. E. Kauie, W. K. Kaledhula, J. A. Kahloa, S. K. Kaha, G. Kekip, D. K. Kahalelo.

An adjournment was taken at 11:30, when the delegates went to the Home Rule headquarters on Maunakea street. There they were served with lunch. The convention reassembled at 1:30 after which the platform was adopted and the delegate nominee for Congress chosen.

WHO NOTLEY IS.

Charles Notley was born at Waimea, South Kohala, on April 20, 1861. His father was an Englishman, now dead, and his mother a Hawaiian. He was first educated in the Lyons school at South Kohala and afterwards attended the Lucehui College at Lahaina up to 1871, when he went to the Haeleka school